State of Iowa

1983

JOURNAL OF THE HOUSE

1983

REGULAR SESSION

SEVENTIETH

GENERAL ASSEMBLY

Convened January 10, 1983
Adjourned May 14, 1983

TERRY E. BRANSTAD, Governor
ROBERT T. ANDERSON, President of the Senate
DONALD D. AVENSON, Speaker of the House

Published by the
STATE OF IOWA
Des Moines

SEVENTIETH GENERAL ASSEMBLY

1983 Regular Session

OFFICERS OF THE HOUSE

DONALD D. AVENSON, *Speaker of the House* ..... Oelwein

JOHN H. CONNORS, *Speaker Pro Tempore* ..... Des Moines

LOWELL E. NORLAND, *Majority Floor Leader* ..... Kensett

ROBERT C. ARNOULD, *Assistant Majority Floor Leader* ..... Davenport

PHILIP A. DAVITT, *Assistant Majority Floor Leader* ..... St. Charles

ROD HALVORSON, *Assistant Majority Floor Leader* ..... Fort Dodge

JEAN LLOYD-JONES, *Assistant Majority Floor Leader* ..... Iowa City

DELWYN STROMER, *Minority Floor Leader* ..... Garner

WAYNE BENNETT, *Assistant Minority Floor Leader* ..... Galva

DOROTHY F. CARPENTER,

Assistant Minority Floor Leader ..... West Des Moines

ROGER A. HALVORSON, *Assistant Minority Floor Leader* ..... Monona

BETTY A. HOFFMANN-BRIGHT,

Assistant Minority Floor Leader ..... Muscatine

JOSEPH O'HERN, *Chief Clerk* ..... Des Moines

ELIZABETH A. ISAACSON, *Assistant Chief Clerk* ..... Des Moines

VIVIAN ANDERS, *Assistant Journal Editor* ..... Liberty Center

CAROL S. EDWARDS, *Assistant Journal Editor* ..... Des Moines

C. ELAINE SCHOONOVER, *Compositor* ..... Des Moines

DEANNA J. TEMPLETON, *Executive Secretary*

to Chief Clerk ..... Melcher

DAN DUDLEY, *Legal Counsel* ..... Des Moines

M. MAXINE MANN, *Assistant Legal Counsel* ..... Des Moines

PEG E. KEPHART, *Assistant to Legal Counsel and Engrossing/Enrolling Clerk* ..... Des Moines

BILLIE JEAN WALLING, *Finance Officer* ..... Des Moines

DEBRA K. OLSON, *Assistant Finance Officer* ..... Des Moines

LAURIE J. WARD, *Recording Clerk* ..... Des Moines

VIRGINIA A. ROWEN, *Supervisor of Secretaries* ..... Des Moines

SUSAN BRUCKSHAW, *Clerk to Chief Clerk* ..... Des Moines

JO ANN CRITELLI, *Supply Clerk* ..... Des Moines

JUANITA F. SWACKHAMMER, *Chief Indexer* ..... Des Moines

WILMA F. ZIKA, *Indexing Assistant* ..... Des Moines

MARK W. BRANDSGARD, *Administrative Assistant to Speaker* ..... Des Moines

CATHERINE A. SEARS, *Executive Secretary to Speaker* ..... Urbandale

LINDA KING KADING, *Administrative Assistant to Majority Leader* ..... Des Moines

SHARON R. ROBINSON, *Majority Caucus Director* ..... Des Moines

JUDITH MIKLUS, *Secretary to Majority Caucus* ..... Ankeny

ELISABETH C. BUCK, *Research Analyst* ..... Des Moines

JOSEPH W. CHAMBERS, *Research Analyst* ..... Webster City

EDWARD J. CONLOW, *Research Analyst* ..... Des Moines

MARY E. O'CONNOR, *Research Analyst* ..... Des Moines

THOMAS R. PATTERSON, *Research Analyst* ..... Des Moines

JOSEPH J. SHANNAHAN, *Research Analyst* ..... Williamsburg

SHIRLEY M. DANSKIN-WHITE, *Research Analyst* ..... Grimes

KEVIN S. VINCHATTLE, *Administrative Assistant to Minority Leader* ..... Des Moines

PAULA J. FELTNER, *Minority Caucus Director* ..... Des Moines

COLLEEN DILLON, *Secretary to Minority Caucus* ..... Des Moines

RONDA L. MENKE, *Research Analyst* ..... Perry

SHARON R. PILMER, *Research Analyst* ..... Des Moines

BENJAMIN S. WEBB, *Research Analyst* ..... Des Moines

MARYJO F. WELCH, *Research Analyst* ..... Clive

BARBARA K. WINTERS, *Research Analyst* ..... Des Moines

BEVERLY BAKER, *Switchboard Operator* ..... Des Moines

VIRGINIA SEMPLE, *Switchboard Operator* ..... Des Moines

PHYLLIS J. FRAIZER, *Bill Clerk* ..... Des Moines

MADELINE E. JAMES, *Assistant Bill Clerk* ..... Des Moines

GEORGE PENDERGRAFT, *Postmaster* ..... Des Moines

ROSEANNE McCARGAR, *Sergeant-at-Arms* ..... Des Moines

JAMES D. CUNNINGHAM, *Assistant Sergeant-at-Arms* ..... Gowrie

ARTHUR E. BORWICK, *Doorkeeper* ..... Des Moines

FRANK L. CHRISTEN, *Doorkeeper* ..... Des Moines

MARVIN W. HOLLINGSHEAD, *Doorkeeper* ..... Des Moines

ANTHONY F. KING, *Doorkeeper* ..... Des Moines

JOHN PIGNERI, *Doorkeeper* ..... Des Moines

GUY A. RISINGER, *Doorkeeper* ..... Indianola

EVELYN SEANEY, *Elevator Operator* ..... Des Moines

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

TERRY E. BRANSTAD, *Governor* ..... Lake Mills

ROBERT T. ANDERSON, *Lieutenant Governor* ..... Newton

MARY JANE ODELL, *Secretary of State* ..... Des Moines

RICHARD D. JOHNSON, *State Auditor* ..... Sheldahl

MICHAEL L. FITZGERALD, *Treasurer of State* ..... Des Moines

ROBERT H. LOUNSBERRY, *Secretary of Agriculture* ..... McCallsburg

THOMAS J. MILLER, *Attorney General* ..... McGregor

JUSTICES OF THE IOWA SUPREME COURT

W. W. REYNOLDSON, *Chief Justice* ..... Osceola

JAMES H. CARTER, *Justice* ..... Cedar Rapids

K. DAVID HARRIS, *Justice* ..... Jefferson

J. L. LARSON, *Justice* ..... Harlan

CLAY LeGRAND, *Justice* ..... LeClaire

MARK McCORMICK, *Justice* ..... Des Moines

ARTHUR A. McGIVERIN, *Justice* ..... Ottumwa

LOUIS SCHULTZ, *Justice* ..... Iowa City

HARVEY UHLENHOPP, *Justice* ..... Hampton

IOWA COURT OF APPEALS JUDGES

LEO OXBERGER, *Chief Judge* ..... Des Moines

ALLEN L. DONIELSON, *Judge* ..... Des Moines

JANET A. JOHNSON, *Judge* ..... Des Moines

DICK SCHLEGEL, *Judge* ..... Ottumwa

BRUCE M. SNELL, JR., *Judge* ..... Ida Grove

MEMBERS OF THE HOUSE—SEVENTIETH GENERAL ASSEMBLY—1983 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Anderson, James O.	Brayton	54	Farmer	95th—*Audubon*, Carroll, Shelby	68, 69, 69X, 69XX
Arnould, Robert C.	Davenport	29	Legislator	42nd—*Scott*	67(2nd), 67X, 68, 69, 69X, 69XX
Avenson, Donald D.	Oelwein	38	Tool & Die Maker	28th—Chickasaw, *Fayette*	65, 66, 67, 67X, 68, 69, 69X, 69XX
Baxter, Elaine *	Burlington	49	Legislator	60th—*Des Moines*	69(2nd)
Bennett, Wayne	Galva	55	Farmer	4th—*Ida*, Monona, Woodbury	65, 66, 67, 67X, 68, 69, 69X, 69XX
Black, Dennis H.	Grinnell	43	County Conservation Board Director	71st—*Jasper*, Marshall	None
Blanshan, Eugene	Scranton	34	Farmer	88th—Boone, Carroll, *Greene*	None
Brammer, Philip E.	Cedar Rapids	50	Insurance Executive President	50th—*Linn*	None
Branstad, Clifford O.	Thompson	58	Farmer	16th—Hancock, Kossuth, *Winnebago*	68, 69, 69X, 69XX
Buhr, Florence D.	Des Moines	49	Homemaker	85th—*Polk*	None
Carl, Janet	Grinnell	34	Consultant	53rd—Iowa, *Poweshiek*	69, 69X, 69XX
Carpenter, Dorothy F.	West Des Moines	49	Homemaker-Legislator	82nd—*Polk*	69, 69X, 69XX
Carter, Brian	Mt. Pleasant	34	Teacher	59th—Des Moines, *Henry*	None
Chapman, Kay	Cedar Rapids	45	Attorney	49th—*Linn*	None
Chiodo, Ned F.	Des Moines	40	Small Businessman	81st—*Polk*	67, 67X, 68, 69, 69X, 69XX
Clark, Betty Jean	Rockwell	62	Christian Education Director	29th—*Cerro Gordo*, Floyd, Mitchell	67, 67X, 68, 69, 69X, 69XX

* Elected in Special Election January 26, 1982

MEMBERS OF THE HOUSE—SEVENTIETH GENERAL ASSEMBLY—1983 REGULAR SESSION—Continued

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Cochran, Dale M.	Eagle Grove	54	Farmer	14th—Hamilton, *Webster*	61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX
Connolly, Michael W.	Dubuque	37	Teacher	35th—*Dubuque*	68, 69, 69X, 69XX
Connors, John H.	Des Moines	60	Insurance Representative and Labor Arbitrator	79th—*Polk*	65, 66, 67, 67X, 68, 69, 69X, 69XX
Cooper, James J.	Russell	58	Farmer	67th—Clarke, Monroe, *Lucas*, Wayne	None
Copenhaver, Paul *	Independence	41	Farmer	27th—Black Hawk, *Buchanan*	69(2nd)
Corey, Virgil E.	Morning Sun	66	Farmer	55th—Des Moines, *Louisa*, Washington	68, 69, 69X, 69XX
Daggett, Horace	Lenox	51	Farmer	92nd—Adams, Decatur, Ringgold, *Taylor*	65, 66, 67, 67X, 68, 69, 69X, 69XX
Davitt, Philip A.	St. Charles	51	Farmer	68th—*Warren*	67, 67X, 68, 69, 69X, 69XX
De Groot, Kenneth R.	Doon	53	Farmer	8th—*Lyon*, O'Brien, Osceola, Sioux	68, 69, 69X, 69XX
Diemer, Marvin E.	Cedar Falls	58	Business Consultant	23rd—*Black Hawk*	68, 69, 69X, 69XX
Doderer, Minnette	Iowa City	59	Legislator	45th—*Johnson*	60X, 61, 62, 63, 64, 65, 66, 67, 67X, 69, 69X, 69XX
Fey, Thomas H.	Davenport	28	Legislator	41st—*Scott*	69(2nd)
Fogarty, Daniel P.	Cylinder	58	Farmer	11th—Clay, *Palo Alto*	None
Grandia, Robert J.	Pella	68	Retired meat processor	69th—*Marion*	None

* Elected in Special Election March 23, 1982

MEMBERS OF THE HOUSE—SEVENTIETH GENERAL ASSEMBLY—1983 REGULAR SESSION—Continued

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Groninga, John	Mason City	37	Sales Manager	20th—*Cerro Gordo*	None
Gronstal, Michael E.	Council Bluffs	32	Shipping Clerk	99th—*Pottawattamie*	None
Groth, Richard	Albert City	36	Educator	10th—*Buena Vista*, Pocahontas	68, 69, 69X, 69XX
Gruhn, Josephine	Spirit Lake	55	Educator and Farmer	12th—*Dickinson*, Emmet	None
Halvorson, Rod	Fort Dodge	33	Real Estate Salesman	13th—*Webster*	68, 69, 69X, 69XX
Halvorson, Roger A.	Monona	48	Insurance-Real Estate Broker	32nd—Allamakee, *Clayton*	66, 67, 67X, 68, 69, 69X, 69XX
Hammond, Johnie	Ames	50	Legislator	74th—*Story*	None
Handorf, Ward	Gladbrook	68	Farmer	75th—Black Hawk, *Marshall*, Tama	None
Hanson, Darrell R.	Manchester	28	Insurance Adjuster	48th—Buchanan, *Delaware*, Linn	68, 69, 69X, 69XX
Harbor, William H.	Henderson	62	Grain Elevator Owner-Operator	94th—*Mills*, Montgomery, Pottawattamie	56, 57, 58, 62, 63, 64, 67, 67X, 68, 69, 69X, 69XX
Haverland, Mark A.	Ankeny	36	Minister	77th—*Polk*	None
Hermann, Donald F.	Bettendorf	61	Retired Industrial Relations Manager	40th—*Scott*	None
Hoffmann-Bright, Betty	Muscatine	61	Legislator	56th—Louisa, *Muscatine*	67, 67X, 68, 69, 69X, 69XX
Holveck, Jack	Des Moines	39	Attorney	84th—*Polk*	None
Hughes, Randy	Creston	34	Teacher	91st—Adair, Adams, Cass, Clarke, *Union*	None
Hummel, Kyle	Vinton	47	Contractor-Realtor	76th—*Benton*, Black Hawk	68, 69, 69X, 69XX
Jay, Daniel J.	Centerville	28	Lawyer	66th—*Appanoose*, Davis, Wapello	68, 69, 69X, 69XX
Jochum, Thomas J.	Dubuque	31	Legislator	36th—*Dubuque*	66, 67, 67X, 68, 69, 69X, 69XX

MEMBERS OF THE HOUSE—SEVENTIETH GENERAL ASSEMBLY—1983 REGULAR SESSION—Continued

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Knapp, Donald J.	Cascade	50	Corrections	33rd—*Dubuque*, Jones	69(2nd)
Koenigs, Deo A.	McIntire	47	Farmer	30th—Chickasaw, Howard, *Mitchell*	None
Krewson, Lyle R.	Urbandale	39	Legislator, Self-employed	83rd—*Polk*	67, 67X, 68, 69, 69X, 69XX
Lageschulte, Raymond	Waverly	60	Farmer-Insurance Adjuster-Legislator	22nd—Black Hawk, *Bremer*, Butler	66, 67, 67X, 68, 69, 69X, 69XX
Lloyd-Jones, Jean	Iowa City	53	Legislator	46th—*Johnson*	68, 69, 69X, 69XX
Lonergan, Joyce	Boone	48	Book Store Owner	87th—*Boone*, Story	66, 67, 67X, 68, 69, 69X, 69XX
Maulsby, Ruhl	Rockwell City	59	Farmer	9th—*Calhoun*, Sac, Webster	68, 69, 69X, 69XX
McIntee, John E.	Waterloo	32	Home Builder-Attorney	26th—*Black Hawk*	None
McKean, Andy	Morley	33	Lawyer-College Instructor-Square Dance Caller	44th—*Jones*, Linn	68, 69, 69X, 69XX
Menke, Lester D.	Calumet	64	Farmer-Insurance	7th—Cherokee, Clay, *O'Brien*	65, 66, 67, 67X, 68, 69, 69X, 69XX
Miller, Leo P.	Sioux City	39	Retired Police Officer	3rd—*Woodbury*	None
Muhlbauer, Louis J.	Manilla	53	Farmer	96th—*Crawford*, Shelby	None
Mullins, Sue	Corwith	46	Farmer	15th—Humboldt, *Kossuth*, Palo Alto, Pocahontas	68, 69, 69X, 69XX
Norland, Lowell E.	Kensett	51	Farmer	19th—Cerro Gordo, Winnebago, *Worth*	65, 66, 67, 67X, 68, 69, 69X, 69XX
O'Kane, James D.	Sioux City	31	Legislator	1st—*Woodbury*	68, 69, 69X, 69XX
Ollie, C. Arthur	Clinton	41	Teacher	38th—*Clinton*	None

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Osterberg, David	Mt. Vernon	39	Economic Consultant	43rd—Cedar, *Linn*	None
Oxley, Myron B.	Marion	60	Farmer	47th—*Linn*	61, 67, 67X, 68, 69, 69X, 69XX
Parker, Edward G.	Mingo	23	Contractor	70th—*Jasper*, Marion, Polk Warren	None
Paulin, Donald J.	Le Mars	49	Kitchen Cabinet Retailer	5th—*Plymouth*, Woodbury	None
Pavich, Emil S.	Council Bluffs	51	Cereal Company Employee	100th—*Pottawattamie*	66, 67, 67X, 68, 69, 69X, 69XX
Peick, Doris A.	Cedar Rapids	49	Quality Control Inspector	52nd—*Linn*	None
Pellett, Wendell C.	Atlantic	65	Farmer	97th—*Cass*, Harrison, Pottawattamie, Shelby	64, 65, 66, 67, 67X, 68, 69, 69X, 69XX
Poncy, Charles N.	Ottumwa	60	School Employee	65th—*Wapello*	62, 63, 65, 66, 67, 67X, 69, 69X, 69XX
Renaud, Dennis L.	Altoona	40	D.M. Fire Department-Businessman	78th—*Polk*	69, 69X, 69XX
Renken, Robert H.	Aplington	60	Farmer	21st—Butler, *Grundy*	68(2nd), 69, 69X, 69XX
Rensink, Wilmer	Sioux Center	49	Farmer	6th—Plymouth, *Sioux*	None
Rosenberg, Ralph	Ames	31	Attorney	73rd—*Story*	69(2nd)
Royer, Bill D.	Essex	53	Realtor	93rd—Fremont, Mills, *Page*	None
Running, Richard V.	Cedar Rapids	36	Quality Assurance Technologist	51st—*Linn*	69, 69X, 69XX
Schnekloth, Hugo	Eldridge	59	Farmer	39th—*Scott*	67, 67X, 68, 69, 69X, 69XX

MEMBERS OF THE HOUSE—SEVENTIETH GENERAL ASSEMBLY—1983 REGULAR SESSION—Continued

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Schroeder, Laverne W.	McClelland	49	Self-Employed	98th—Harrison, *Pottawattamie*	62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX
Sherzan, Gary	Des Moines	38	Correctional Service Worker	86th—*Polk*	None
Shoultz, Don	Waterloo	46	Teacher	25th—*Black Hawk*	None
Skow, Bob	Guthrie Center	30	Insurance-Real Estate Broker	90th—Adair, Dallas, *Guthrie*, Madison	None
Spear, Clay	Burlington	66	Retired Postal Service Employee	61st—*Des Moines*, Lee	66, 67, 67X, 68, 69, 69X, 69XX
Stromer, Delwyn	Garner	52	Farmer	17th—Franklin, *Hancock*, Wright	62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX
Stueland, Vic	Grand Mound	62	Farmer	37th—Cedar, *Clinton*	69, 69X, 69XX
Sturgeon, Al	Sioux City	26	Public Relations Consultant	2nd—*Woodbury*	69, 69X, 69XX
Sullivan, William R.	Cantril	37	Heavy Equipment Operator	62nd—Lee, *Van Buren*	69, 69X, 69XX
Swartz, Thomas E.	Marshalltown	36	Real Estate Broker	72nd—*Marshall*	69, 69X, 69XX
Swearingen, George R.	Sigourney	59	Retired Teacher-Legislator	63rd—Jefferson, *Keokuk*, Wapello	68, 69, 69X, 69XX
Tabor, David M.	Baldwin	27	Farmer	34th—Dubuque, *Jackson*	None
Tofte, Semor C.	Decorah	71	Retired	31st—Allamakee, *Winneshiek*	65, 66, 67, 67X, 68, 69, 69X, 69XX
Torrence, Janis I.	Atalissa	56	Former County Supervisor	57th—*Muscatine*, Scott	None

MEMBERS OF THE HOUSE—SEVENTIETH GENERAL ASSEMBLY—1983 REGULAR SESSION—Continued

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Van Camp, Mike	Davenport	41	Union Electrician	58th—*Scott*	None
Van Gerpen, Harlan W.	Cedar Falls	58	Consulting Engineer	24th—*Black Hawk*	None
Van Maanen, Harold	Oskaloosa	53	Farmer	64th—Keokuk, *Mahaska*, Wapello	68, 69, 69X, 69XX
Varn, Richard J.	Solon	24	Baking Company Employee-Law Student	54th—Iowa, *Johnson*	None
Welden, Richard W.	Iowa Falls	74	Retired Contractor	18th—Franklin, *Hardin*, Hamilton	62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX
Woods, Jack E.	Des Moines	46	Self-Employed	80th—*Polk*	65, 66, 67, 67X, 68, 69, 69X, 69XX
Zimmerman, Jo Ann	Waukee	46	Registered Nurse	89th—*Dallas*	None

JOURNAL OF THE HOUSE

First Calendar Day—First Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 10, 1983

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the House of Representatives of the Seventieth General Assembly of Iowa, 1983 Regular Session, convened at 10:00 a.m., Monday, January 10, 1983.

The House was called to order by the Honorable Dale Cochran from Webster County.

Prayer was offered by the Honorable Harold Hughes, former Governor of Iowa and United States Senator from Iowa.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanley Haugland, Des Moines.

TEMPORARY OFFICERS

On motion by Fey of Scott, Joseph O'Hern of Polk County was elected Acting Chief Clerk. Joseph O'Hern 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."

Doderer of Johnson moved that the Honorable Dale Cochran of Webster County be elected Temporary Speaker.

The motion prevailed and the oath of office was administered to the Honorable Dale Cochran by Acting Chief Clerk O'Hern.

Temporary Speaker Cochran in the chair.

CREDENTIALS OF MEMBERS

Carl of Poweshiek 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: Carl of Poweshiek, Groth of Buena Vista, Skow of Guthrie, Krewson of Polk and McKean of Jones.

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

MAJORITY 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 Seventieth General Assembly as shown by duplicate copies of the certification 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, MARY JANE ODELL, 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 the General Election held on November 2, 1982, 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, 1983:

First	James D. O'Kane
Second	Al Sturgeon
Third	Leo P. Miller
Fourth	Wayne Bennett
Fifth	Donald J. Paulin
Sixth	Wilmer Rensink
Seventh	Lester D. Menke
Eighth	Kenneth De Groot
Ninth	Ruhl Maulsby
Tenth	Richard Groth
Eleventh	Daniel P. Fogarty
Twelfth	Josephine Gruhn
Thirteenth	Rod Halvorson
Fourteenth	Dale M. Cochran
Fifteenth	Sue Mullins
Sixteenth	Clifford O. Branstad
Seventeenth	Delwyn Stromer
Eighteenth	Richard W. Welden
Nineteenth	Lowell E. Norland
Twentieth	John Groninga
Twenty-first	Bob Renken

Twenty-second ..... Raymond Lageschulte
Twenty-third ..... Marvin E. Diemer
Twenty-fourth ..... Harlan W. Van Gerpen
Twenty-fifth ..... Don Shoultz
Twenty-sixth ..... John McIntee
Twenty-seventh ..... Paul G. Copenhaver
Twenty-eighth ..... Donald D. Avenson
Twenty-ninth ..... Betty Jean Clark
Thirtieth ..... Deo Koenigs
Thirty-first ..... Semor C. Tofte
Thirty-second ..... Roger A. Halvorson
Thirty-third ..... Don Knapp
Thirty-fourth ..... David Tabor
Thirty-fifth ..... Michael W. Connolly
Thirty-sixth ..... Thomas J. Jochum
Thirty-seventh ..... Vic Stueland
Thirty-eighth ..... C. Arthur Ollie
Thirty-ninth ..... Hugo Schnekloth
Fortieth ..... Donald Hermann
Forty-first ..... Tom Fey
Forty-second ..... Bob Arnould
Forty-third ..... David Osterberg
Forty-fourth ..... Andy McKean
Forty-fifth ..... Minnette Doderer
Forty-sixth ..... Jean Lloyd-Jones
Forty-seventh ..... Myron B. Oxley
Forty-eighth ..... Darrell R. Hanson
Forty-ninth ..... Kay Chapman
Fiftieth ..... Phil Brammer
Fifty-first ..... Richard V. Running
Fifty-second ..... Doris Peick
Fifty-third ..... Janet Carl
Fifty-fourth ..... Richard J. Varn
Fifty-fifth ..... Virgil E. Corey
Fifty-sixth ..... Betty Hoffmann-Bright
Fifty-seventh ..... Janis I. Torrence
Fifty-eighth ..... Mike Van Camp
Fifty-ninth ..... Brian Carter
Sixtieth ..... Elaine Baxter
Sixty-first ..... Clay Spear
Sixty-second ..... William R. Sullivan
Sixty-third ..... George R. Swearingen
Sixty-fourth ..... Harold Van Maanen
Sixty-fifth ..... Charles N. Poncy
Sixty-sixth ..... Daniel J. Jay
Sixty-seventh ..... James J. Cooper
Sixty-eighth ..... Philip A. Davitt
Sixty-ninth ..... Robert J. Grandia
Seventieth ..... Edward G. Parker
Seventy-first ..... Dennis H. Black
Seventy-second ..... Tom Swartz

Seventy-third ..... Ralph Rosenberg
Seventy-fourth ..... Johnie Hammond
Seventy-fifth ..... Ward Handorf
Seventy-sixth ..... Kyle Hummel
Seventy-seventh ..... Mark A. Haverland
Seventy-eighth ..... Dennis L. Renaud
Seventy-ninth ..... John H. Connors
Eightieth ..... Jack E. Woods
Eighty-first ..... Ned F. Chiodo
Eighty-second ..... Dorothy F. Carpenter
Eighty-third ..... Lyle R. Krewson
Eighty-fourth ..... Jack Holveck
Eighty-fifth ..... Florence D. Buhr
Eighty-sixth ..... Gary Sherzan
Eighty-seventh ..... Joyce Lonergan
Eighty-eighth ..... Gene Blanshan
Eighty-ninth ..... Jo Ann Zimmerman
Ninetieth ..... Bob Skow
Ninety-first ..... Randy Hughes
Ninety-second ..... Horace Daggett
Ninety-third ..... Bill Royer
Ninety-fourth ..... William H. Harbor
Ninety-fifth ..... James O. Anderson
Ninety-sixth ..... Louis J. Muhlbauer
Ninety-seventh ..... Wendell C. Pellett
Ninety-eighth ..... Laverne William Schroeder
Ninety-ninth ..... Michael E. Gronstal
One Hundredth ..... Emil S. Pavich

(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 10th day of January, 1983.

MARY JANE ODELL, Secretary of State

JANET CARL
RICHARD GROTH
BOB SKOW
LYLE R. KREWSON
ANDY McKEAN

Carl of Poweshiek 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 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 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 C. Arnould
Donald D. Avenson
Elaine Baxter
Wayne Bennett
Dennis H. Black
Gene Blanshan
Phil Brammer
Clifford O. Branstad
Florence D. Buhr
Janet Carl
Dorothy F. Carpenter
Brian Carter
Kay Chapman
Ned F. Chiodo
Betty Jean Clark
Dale M. Cochran
Michael W. Connolly
John H. Connors
James J. Cooper
Paul G. Copenhaver
Virgil E. Corey
Horace Daggett
Philip A. Davitt
Kenneth De Groot
Marvin E. Diemer
Minnette Doderer
Tom Fey
Daniel P. Fogarty
Robert J. Grandia
John Groninga
Michael E. Gronstal
Richard Groth
Josephine Gruhn
Rod Halvorson
Roger A. Halvorson
Johnie Hammond
Ward Handorf
Darrell R. Hanson
William H. Harbor
Mark A. Haverland
Donald Hermann
Betty Hoffmann-Bright
Jack Holveck
Randy Hughes
Kyle Hummel
Daniel J. Jay
Thomas J. Jochum
Don Knapp
Deo Koenigs
Lyle R. Krewson
Raymond Lageschulte
Jean Lloyd-Jones
Joyce Lonergan
Ruhl Maulsby
John McIntee
Andy McKean
Lester D. Menke
Leo P. Miller
Louis J. Muhlbauer
Sue Mullins
Lowell E. Norland
James D. O'Kane
C. Arthur Ollie
David Osterberg
Myron B. Oxley
Edward G. Parker
Donald J. Paulin
Emil S. Pavich
Doris Peick
Wendell C. Pellett
Charles N. Poncy
Dennis L. Renaud
Bob Renken
Wilmer Rensink
Ralph Rosenberg
Bill Royer
Richard V. Running
Hugo Schnekloth
Laverne W. Schroeder
Gary Sherzan
Don Shoultz
Bob Skow
Clay Spear
Delwyn Stromer
Vic Stueland
Al Sturgeon
William R. Sullivan
Tom Swartz
George R. Swearingen
David Tabor
Semor C. Tofte

Janis I. Torrence
Mike Van Camp
Harlan W. Van Gerpen
Harold Van Maanen
Richard J. Varn
Richard W. Welden
Jack E. Woods
Jo Ann Zimmerman

ELECTION OF SPEAKER

Norland of Worth presented the name of the Honorable Donald D. Avenson of Fayette County as candidate for Speaker of the House of Representatives of the Seventieth General Assembly, preceding such nomination with the following remarks:

Mr. Speaker:

I am very pleased, both personally and for the state of Iowa, to nominate the gentleman from Fayette, the Honorable Donald Avenson to serve as Speaker of the House for the Seventieth General Assembly.

Ten years ago, Representative Avenson and I took our oath of office for the first time along with an especially large number of new members. Those members were spirited and anxious to make their mark on the seventies. Again this year, there are a large number of fresh and enthusiastic faces in the House which appear anxious to set the agenda for the eighties by exploring new opportunities in creating jobs, protecting the land, providing quality human services and establishing a cooperative effort between business, labor, agriculture, and government.

During eight of his ten years in the House, Representative Avenson has held either majority or minority leadership positions. His party members honored him the past four years by electing him as minority leader. In that position, Representative Avenson strived to develop a working relationship with the majority party based on honesty and fairness. I am confident these efforts will continue and will be reciprocated as in the past.

I have worked closely with Representative Avenson during these past years and it has been my observation that he has always been receptive and understanding of the hopes, desires and aspirations of Iowans. This is apparent by the confidence his constituents in northeast Iowa have placed in him consistently. It is this concern, perception, and experience which uniquely qualifies Representative Avenson for the Iowa House's highest position. His talents will provide the leadership necessary to preside over the House and establish the cooperative atmosphere required during this General Assembly.

I ask you therefore, Mr. Speaker, and Ladies and Gentlemen of the House to accept my nomination of Don Avenson as Speaker of the House.

Lonergan of Boone seconded the nomination of Donald D. Avenson for Speaker of the House, preceded by the following remarks:

Mr. Speaker, Members of the House:

I rise to second the nomination of Don Avenson for Speaker of the House.

Many people have served five terms in the Iowa House — but few have served with such distinction as the gentleman from Fayette. His leadership is unquestionably proven — both as minority leader and as majority leader.

He has a gift few of us attain, that of listening to all sides and settling disputes before they erupt. His fairness is a credit to us all and I'm sure he will continue this fairness as Speaker.

He has always honestly looked out for the interests of the minority, whether it be by party or by a group set apart by issue.

To the new members of the General Assembly especially, let me assure you that you will learn a lot more than legislative procedure from Don. You will learn of the hunting and fishing seasons in Iowa and elsewhere. You will also learn about Eric, Clay and Nicolle Avenson as those of us who have served with Don already know! You will learn all of this from a fair, honest, proven leader.

Therefore, it is with pride and honor that I second the nomination of my good friend, Don Avenson, as Speaker of the Iowa House of Representatives for the Seventieth General Assembly.

Menke of O'Brien seconded the nomination of Donald D. Avenson for Speaker of the House, preceded by the following remarks:

Mr. Speaker, Ladies and Gentlemen of the House:

I rise to second the nomination of a man that is recognized, by all who know him, as the outdoor sportsman of these chambers. In fact, he is such a sportsman that he has instilled his love of animals into the minds of many members of this chamber.

Some have referred to him as being as mean as a wounded bear, others likened him to a charging, bellowing bull moose! However, he was actually singing in his melodic baritone voice, about the "fat cats" that he thought were about to get a tax break or making reference to a particular bill that he thought was a "dog."

Each person views him differently. I'm certain that his wife Diane thinks of him as a "deer," and his children Eric, Clay and Nicolle know him to be a "lamb."

I view him as being a sly wise "fox" that has been guarding the "chickens" in the chicken house and trying many times to get the "goat" of certain members of this House. The truth is, that the sly "fox" was a thespian, playing the part of a "wolf," many times huffing and puffing, huffing and puffing attempting to blow the House in. Occasionally he put out a barb trying to hook someone and he enjoyed stringing the members of the House a line. Being a true sportsman I have no recollection of him taking pot shots at anyone. He may have taken a shot at them but he always gave them a chance to rise.

I could heap high praise upon Don Avenson, but true friends don't have to do that and I consider him to be such a friend.

I have known Don to be an honest, intelligent and capable member of the House of Representatives. He has always done his job well — sometimes too much so for the symbolic "elephant." I deem it a great honor to second the nomination of Don Avenson for Speaker of the Iowa House of Representative for this Seventieth General Assembly.

Stromer of Hancock seconded the nomination of Donald D. Avenson for Speaker of the House, preceded by the following remarks:

Mr. Speaker, Ladies and Gentlemen of the House:

I also join in seconding the nomination of the Honorable Donald Avenson of Fayette County as Speaker of the House of the Seventieth General Assembly.

There have been very few times in the history of Iowa that the start of a General Assembly has not been highlighted by the many problems facing this state. That is certainly true again this year. Representative Avenson has demonstrated his ability, integrity, and knowledge of the legislative process the past ten years to help lead Iowa to the solution of those difficult problems.

I would also hasten to point out that all the knowledge and all the solutions to these problems are not vested with any single political party. As Minority Leader of the Seventieth General Assembly I pledge our caucus's sincere interest and untiring effort in helping to find solutions to the human, educational and budget needs of the state.

Together we can continue to make Iowa a great place to grow and the best state in the nation.

I move that the Chief Clerk be authorized to cast the votes of all the members of the House of Representatives of the Seventieth General Assembly for the Honorable Donald D. Avenson as Speaker.

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 Donald D. Avenson as Speaker of the House of Representatives of the Seventieth General Assembly. The Honorable Donald D. Avenson of Fayette County, having received all of the votes cast for the office of Speaker of the House of Representatives of the Seventieth General Assembly, was declared duly elected to that office.

Copenhaver of Buchanan moved that a committee of two be appointed to escort the Speaker to the chair.

The motion prevailed and the following committee was named: Copenhaver of Buchanan and Tofte of Winneshiek.

PRESENTATION OF SPEAKER

The Honorable Donald D. Avenson was escorted to the Speaker's station and, having been sworn, assumed the chair. Temporary Speaker Cochran of Webster presented Speaker Avenson with the gavel and congratulated him on his unanimous election.

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

Ladies and Gentlemen of the House:

Last fall, the people of Iowa voted to open the doors of this House to one hundred men and women. Today, thirty-eight of us walked through them for the first time. The sixty-two members who have served here before, warmly welcome you — and thank you for choosing to exercise public service in the Iowa legislature.

This is a special day for all one hundred of us and our families. I pause to offer a sincere thank you to your families and mine for their patience, their love, and in many cases, their hard work in helping us to accomplish our goals — both last fall and in the weeks to come.

I also take this opportunity to thank the people of Iowa for maintaining and participating in this wonderful process of democracy. We are "the peoples' house" — we are rated among the best in the nation. And we have a long history as an honest, open, citizen legislature. We pledge to maintain that record and to do our very best.

This moment is very important to me. It is one of the few times I will ever address you from the Speaker's chair. It is my privilege this morning to thank you for placing me here. The honor and even-handedness of my predecessors are hallmarks of leadership in this body. This entire House extends its thanks to past presiding officers for giving us valuable benchmarks for the Speakership. In Iowa, when a Speaker pledges to preside fairly, as I do to you now, he does so with confidence, and what the public expects of him. It is a guideline we all prize, and one that I intend to meet.

Here in the House we invest our Speaker with very few symbols of power. One is an office from which to work, and in which to receive fellow representatives and the public. I invite you to walk through the open door of this Speaker's office.

The placing of the Speaker on a podium is another symbol. And I can tell you that leaving the comfort of ten years with you on the floor of this House will take some getting used to. As a matter of fact, I plan to exercise my discretion to speak to you from time to time from the floor. In this way, my feelings on issues will be openly expressed in debate among you — not through a manipulation of the authority you have bestowed on your presiding officer.

But as I sit here for the first time today, it occurs to me that this podium arrangement has two positive effects upon the occupant of this chair — and since many of you will be occupying the chair in the months to come, I want to mention these observations to you.

The first is that this vantage point requires us to look each other in the eye.

And the other is that when I look straight ahead I see the open doors of this House.

It seems to me that those two simple observations are — at least fundamentally — what is expected of us: to maintain open doors, and to look each other in the eye when we deliberate.

The new relationships that begin inside this building today — ours with each other, and that of a new House with a new Senate, and that of a new legislature with a new Governor — are going to be open, honest, and constructive relationships.

Many of you have heard me say that these new relationships will include Republican members of this House as full partners in the legislative process. I repeat it today, and expand upon it so that my intent is clear: Republican members' ideas will not only be heard in this session, they will be sought — both in committee, and on the floor of the House. Majority party status is a responsibility Democrats welcome — but it does not confer on its members a monopoly of good ideas.

I am very glad for the somewhat unusual historic circumstance that brings Terry Branstad among us this week as the presiding officer of our joint convention. It allows us to personally wish a former colleague well, and to assure him that a new Governor's ideas and programs will have a fair hearing in this legislature. Governor Branstad and this legislature will look each other in the eye.

While I believe there is a heightened — and perhaps new — sense of urgency among the people of Iowa who look to us for new answers, I do not believe they want us to escape our responsibility to the future through sleight-of-hand. This is not a magic show. This legislature will not allow itself to be carried away by urgency into panicked responses. We are a deliberative body. While it is true that we can and will carve out and define the most critical areas of state concern early, it should be understood that a framework for orderly and fulfilling life in Iowa in the next decade is part of the scorecard by which we would be measured.

What is possible in the creation of jobs this year will be done, but equally important, what is necessary to develop the climate for jobs through 1993 will begin.

What is possible to preserve and enhance our soil, water, wildlife, and recreational environments this year will be done. What is necessary to assure that these resources are in better shape in 1993 than we find them today will begin.

What is possible for us to do to control utility costs in 1983 will be done. What is necessary to keep them fair will begin.

And this legislature will do what is possible to reassure Iowans they will not be denied medical care because of costs — and what is necessary to guarantee that our efforts will still be meaningful in 1993 will begin.

Four years ago, a new legislature convened with $140 million in the bank. We sit down today with a revenue shortfall of more than $100 million. That deficit is a new responsibility — an unprecedented one for a legislature in Iowa. What can be done to balance the old budget so that we can get down to the business of adopting the 1984 and 1985 budgets we were elected to write — will be done.

But it will not be done at the expense of the 1986 and 1987 budget writers. Neither will it be done at the expense of a fair tax system. Immediate steps will be taken to launch a tax study — so that we can get a clear picture of the faults and assets of our current system. A study is not a solution to the revenue needs of the moment, but must accompany whatever taxation changes we make to assure us of equity and balance — and stability.

This legislature will begin to repair Iowa, but it cannot tar over all the leaky roofs in two years or even four years. We can and will invite individuals, cities, counties, and schools to full partnership in the responsibility to put Iowa back together again. We must all be part of the restoration of what our ancestors and parents built for us. Paving one road, fixing one sewer, one pilot project — none of these will suffice to make a state restoration policy. We must establish a mechanism whereby we can share the responsibility — and the promise to one another that we will reverse our pattern of using Iowa up — and begin to use Iowa wisely.

This Legislature will also look the people of Iowa in the eye. We begin with a new sense of accountability that invites Iowans to adopt solutions that are not only adequate, but that are fair.

It is no longer enough to promise a fair tax system — we must deliver one.

In fashioning new tax equity, we must demand that all Iowans pay their fair share. And we must recognize those who currently bear a disproportionate share of the tax burden — middle-income wage earners.

It is no longer enough to announce that our doors are opened, We will take government to the doors of Iowans, and make it possible for them to fulfill their partnerships with us in their own communities.

It is no longer enough to convince people of the legislature's good intentions regarding economic development: Government and farmers and workers and managers and small businesspeople will work together during this legislature.

Farmers with the lowest farm parity indicators since 1933 — and small businesspeople succumbing to record bankruptcies — and managers either forced to close plants or to idle workers to stay open at all — and more than one hundred seventeen thousand jobless Iowans — have become allies through necessity. Now, economics demands that they become partners. Government can bring that partnership about; we will affect its beginnings within a month.

Nearly every day someone says that this will be a difficult session. I do not disagree. Our problems are statewide, regional, national, international. They are solvable only to the extent that we look them in the eye — and open our door to every individual, every government, every institution that will share the task of solving them.

If I were to hang a plaque on the wall of my office to reassure me in my work as state representative in the 1980's, it would contain this quote from John Kennedy, as he spoke about the office he held in the 1960's: "In the decade that lies ahead — the challenging, revolutionary Sixties — the American Presidency will demand . . . that the President place himself in the very thick of the fight, that he care passionately about the fate of the people he leads, that he be willing to serve them at the risk of incurring their momentary displeasure."

In our decade that lies ahead — the challenging, and the revolutionary Eighties — no less a demand is placed on each of us.

Thank you very much.

PRESENTATION OF VISITOR

Renken of Grundy presented to the House the Honorable Cooper Evans, United States Congressman representing the Third District and former member of the House representing Grundy County.

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.

COMMITTEE TO NOTIFY THE GOVERNOR

Swartz of Marshall 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: Swartz of Marshall, Pavich of Pottawattamie, and Diemer of Black Hawk.

COMMITTEE TO NOTIFY THE SENATE

Spear of Lee 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: Spear of Lee, Koenigs of Mitchell, and Mullins of Kossuth.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

Norland of Worth asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 1
By Norland

Be It Resolved by the House of Representatives, the Senate Concurring, That a joint convention of the two houses of the Seventieth General Assembly be held on January 10, 1983, at 1:30 p.m.

Be It Further Resolved, That Governor Robert D. Ray be invited to deliver his state of the state message at a joint convention of the two houses of the General Assembly on January 11, 1983, at 10:00 a.m., and that the President of the Senate and the Speaker of the House be designated to extend the invitation to him.

Be It Further Resolved, That at this joint convention the votes for Governor and Lieutenant Governor be canvassed and the results announced and recorded as provided by law.

The motion prevailed and the resolution was adopted.

ELECTION OF SPEAKER PRO TEMPORE

Chiodo of Polk placed in nomination the Honorable John H. Connors as candidate for Speaker pro tempore of the House of Representatives of the Seventieth General Assembly, preceding his nomination with the following remarks:

Mr. Speaker, Ladies and Gentlemen of the House:

John Connors has been a member of this body for ten years.

It became apparent to me when I became a member six years ago that John Connors was a proven leader who could handle difficult assignments. His ability to moderate and mediate difficult problems also was quickly apparent. He has a true sense of fair play.

His experience of leadership and integrity is beyond question. His abilities are never in doubt.

He has a keen sense of history and a bright vision of the future.

It is my opinion that he is tailor-made for the position of Speaker pro tempore. It is with great honor that I place in nomination the name of John Connors for the position of Speaker pro tempore.

Cochran of Webster seconded the nomination of Mr. Connors as Speaker pro tempore of the House of Representatives, preceding his nomination with the following remarks:

Mr. Speaker, Ladies and Gentlemen of the House.

It is my distinct honor and privilege to rise to second the nomination of Mr. John Connors of Polk County as Speaker pro tempore of the House of Representatives.

The class of 1973 was the largest group of new members ever to be sworn in as members of this august body. There were fifty-three that year. In our own Democratic caucus of forty-five no fewer than thirty were newcomers to the assembly. John was one of the new members.

There were some adjustments to be made. It required patience, understanding and leadership. John Connors rose to the occasion and distinguished himself from the beginning as a leader. He has grown with the responsibilities of the position.

Many of us have known John even prior to his legislative career. As a member of the Des Moines Fire Department he became a lobbyist for the Fire Fighters of Iowa. He was a very effective lobbyist and demonstrated his abilities of being able to work with people.

As a member of that third House, as the lobbying profession has been sometimes dubbed, looking in, John decided he could be even more effective if he became a legislator and could then represent all the people of this great state. He truly has been a credit and asset to all of us ever since.

John has earned our respect and demonstrated his leadership abilities. His time has come.

Mr. Speaker, it is with pride, respect and friendship that I second the nomination of the Honorable John Connors of Polk County for the office of Speaker pro tempore of the House of Representatives for the Seventieth General Assembly.

Halvorson of Clayton seconded the nomination of Mr. Connors, preceding his nomination with the following remarks:

Mr. Speaker, I wish to second the nomination of John Connors of Polk County for the office of Speaker pro tempore.

I have had the pleasure of working with Representative Connors these past eight years in both the minority and majority and have found him to be totally competent and extremely fair in all of his decisions. As a member of the minority we shall respect the power of the majority but will rely on the kind of fairness and uniformity that Representative Connors has shown in the past. We feel confident he is not only qualified but capable of being a Speaker pro tempore that both the majority and minority parties will respect. Cooperation and respect must be our guideline these next two years.

I move that the Chief Clerk be directed to cast the votes of all the members of the House of Representatives for the Honorable John Connors of Polk County.

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 John H. Connors as Speaker pro tempore of the House of Representatives of the Seventieth General Assembly. The Honorable John H. Connors of Polk County, having received all of the votes cast for the office of Speaker pro tempore of the House of Representatives of the Seventieth General Assembly, was declared duly elected to that office.

Poncy of Wapello 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: Poncy of Wapello and Doderer of Johnson.

Mr. Connors was escorted to the Speaker's station and, being duly sworn, offered the following remarks:

Mr. Speaker, Ladies and Gentlemen of the House — (My Brothers and Sisters):

It is a great privilege to have the Honorable Harold Hughes and Honorable Cooper Evans present with us today. As Governor Ray said when the President visited us, "Once an Iowan, always an Iowan".

Today you have given me the high honor of electing me as our Speaker pro tempore for the next two years. I humbly accept this honor, with sincere thanks and with the full knowledge that with the honor also goes the responsibility to continue to earn the confidence and trust you have placed in me.

While researching the remarks of Speakers pro tempore, from those first printed in the House Journal of January 11, 1909, through those of January 12, 1981, I was impressed with the concerns, dedication and sincerity of those men, to the duties of this office. Please be assured, that I share those concerns, dedication and sincerity, and I promise you, that I will do everything humanly possible to aid our Speaker so that his administration will be successful, and to faithfully serve you to the best of my ability.

I have held this place in awe and respect since first coming here in 1955, as a lobbyist for the Iowa Association of Professional Fire Fighters, and my respect for this House of Representatives has grown since first being elected to serve here in 1973.

This morning you see before you living proof that in America, everyone has a reason to dream, to want to achieve, to have goals in life — and that dreams can come true beyond our wildest expectations.

I want to express my sincere appreciation and love to my family and friends, for their encouragement and support through the years that enables me to be here today. It is a warm feeling to be chosen by your fellow workers to serve as one of their leaders. You have made me very proud and happy and I will always cherish today. I pray that my parents, family and friends here on earth, and with God, can feel it too.

May God bless you.... and guide me. Thank you.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Swartz of Marshall, 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 THE SENATE

Spear of Lee, 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.

ADOPTION OF HOUSE RESOLUTION 1

Haverland of Polk asked and received unanimous consent for the immediate consideration of House Resolution 1 as follows and moved its adoption:

HOUSE RESOLUTION 1
By Haverland

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

The motion prevailed and the resolution was adopted.

The Speaker appointed as such committee Haverland of Polk.

SPECIAL ORDER

Norland of Worth moved that the assignment of seats to the members of the House be made a special order for this afternoon at 1:45 p.m.

The motion prevailed.

ADOPTION OF HOUSE RESOLUTION 2

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

HOUSE RESOLUTION 2
By Fey

Be It Resolved by the House of Representatives,
That each member of the House shall be entitled to select and appoint a secretary, and such secretary may be called upon to aid in the discharge of the clerical work of the House of Representatives. Only expert typists and stenographers will be considered qualified. The Speaker and Chief Clerk shall appoint their secretaries and pages to serve for the session, and the Chief Clerk is hereby authorized to employ such additional clerical assistance as his duties may require.

The motion prevailed and the resolution was adopted.

COMMITTEE ON MILEAGE

Rosenberg of Story 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: Rosenberg of Story, Halvorson of Webster and Maulsby of Calhoun.

UNANIMOUS CONSENT

Fey of Scott asked and received unanimous consent to suspend the rules for a committee on Rules and Administration meeting at 4:30 p.m. today in Room 1.

On motion by Norland of Worth, the House was recessed at 11:25 a.m., until 1:15 p.m.

SPECIAL PRESENTATION

Two quintets, a brass and woodwind, representing the Southeast Iowa Symphony Orchestra performed in the House chamber from 11:30 a.m. until 1:00 p.m. The ensembles are under the direction of Dr. Ruth Keraus, Professor of Music at Iowa Wesleyan College, Mt. Pleasant. Members performing were from Burlington, Fort Madison, Mt. Pleasant, New London, Ottumwa and Washington. They were the guests of Representative Baxter of Des Moines County. Those present rose and expressed appreciation.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 January 10, 1983 adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 1, providing for a joint convention on January 10, 1983, and a joint convention on January 11, 1983, for Governor Ray's State of the State Address.

K. MARIE THAYER, Secretary

COMMITTEE TO NOTIFY THE SENATE

O'Kane of Woodbury 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: O'Kane of Woodbury, Carter of Henry and Welden of Hardin.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

O'Kane of Woodbury, 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 Parliamentarian of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Parliamentarian 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 pro tempore Miller presiding.

Senator Junkins 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 pro tempore Miller announced a quorum present and the joint convention duly organized.

Representative Norland moved that the joint convention recess until 9:45 a.m., Tuesday, January 11, 1983.

The motion prevailed and the joint convention was recessed.

The House reconvened, Speaker Avenson in the chair.

ADOPTION OF TEMPORARY RULES OF THE HOUSE

Fey of Scott moved that the permanent rules of the House of the Sixty-ninth General Assembly be the temporary rules of the House of the Seventieth General Assembly.

The motion prevailed.

Fey of Scott moved that the House rules and administration committee recommendations regarding employees of the House be accepted and that those named employees be elected as employees of the House.

The motion prevailed and the following named persons were duly elected:

EMPLOYEES OF THE HOUSE

Elizabeth A. Isaacson—Acting Assistant Chief Clerk

Dan Dudley—Legal Counsel II
Catherine A. Sears—Executive Secretary to Speaker
Mark W. Brandsgard—Leader's Administrative Assistant
Linda King Kading—Leader's Administrative Assistant
Kevin S. Vinchattle—Leader's Administrative Assistant
Sharon R. Robinson—Caucus Staff Director
Elisabeth C. Buck—Research Analyst
Joseph W. Chambers—Research Analyst
Edward J. Conlow—Research Analyst
Mary E. O'Connor—Research Analyst
Thomas R. Patterson—Research Analyst
Joseph J. Shannahan—Research Analyst
Shirley M. Danskin-White—Research Analyst
Paula J. Feltner—Caucus Staff Director
N. John Boehm—Research Analyst
Ronda Lou Menke—Research Analyst
Benjamin S. Webb—Research Analyst
Maryjo F. Welch—Research Analyst
Barbara K. Winters—Research Analyst
Deanna J. Templeton—Executive Secretary to Chief Clerk
Susan Bruckshaw—Clerk to Chief Clerk
Virginia A. Rowen—Supervisor of Secretaries
Vivian M. Anders—Assistant Journal Editor

Carol S. Edwards—Assistant Journal Editor
C. Elaine Schoonover—Compositor
Billie Jean Walling—Finance Officer
Debra K. Olson—Assistant Finance Officer
Laurie Ward—Recording Clerk
Christine K. Bishop—Assistant Legal Counsel
Peg E. Kephart—Assistant to the Legal Counsel and Engrossing/Enrolling Clerk
M. Maxine Mann—Assistant to the Legal Counsel
Judith Miklus—Caucus Secretary I
Colleen Dillon—Caucus Secretary II
Juanita F. Swackhammer—Chief Indexer
Wilma F. Zika—Indexing Assistant
Joann Critelli—Supply Clerk
Beverly Baker—Switchboard Operator
Virginia Semple—Switchboard Operator
Phyllis J. Fraizer—Bill Clerk
Madeline E. James—Assistant Bill Clerk
George Pendergraft—Postmaster
Roseanne McCarger—Sergeant-at-Arms
Jim Cunningham—Assistant Sergeant-at-Arms
Arthur Borwick—Doorkeeper
Frank Christen—Doorkeeper
Marvin Hollingshead—Doorkeeper
Anthony King—Doorkeeper
John Pigneri—Doorkeeper
Guy Risinger—Doorkeeper
Evelyn Seaney—Elevator Operator

GROUP I

Walter Cunningham, Jr.—Speaker's Page
Ann Oldorf—Chief Clerk's Page
Shelley Andersen—Page
Deanne Backes—Page
Angela Banowetz—Page
Tammy Campbell—Page
Maria Davitt—Page
Michael Gaul—Page
Debra Graham—Page
Corinne Heetland—Page
Andrea Ingram—Page
Debra Jarr—Page
Gwen Johnson—Page
Christopher Markwood—Page
Cindy Messer—Page
Kari Jo Morse—Page
Rhonda Sawyer—Page
Tom Shima—Page
Marilyn Stout—Page

GROUP II

Eric Avenson—Page
Terri Buhr—Page
Donald Findlay—Page
Gary Fischer—Page
Kristine Groth—Page
Todd Gukeisen—Page
Katherine Hansen—Page
Tammy Heim—Page
Dennis Johnson—Page
Lori Less—Page
Cynthia Moothart—Page
David Paustian—Page
Klaus Pohlmann—Page
Kelly Reardon—Page
Matthew Reinert—Page
Kathleen Selzler—Page
Robin Sether—Page
Heather Smith—Page
Jill Weber—Page

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 Avenson—floor seat.
2. Speaker pro tempore Connors
3. Majority Floor Leader Norland
4. Minority Floor Leader Stromer
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

Menke of O'Brien in the chair at 2:08 p.m.

The drawing of seats proceeded with the following results:

Name	Seat No.	Name	Seat No.
James O. Anderson	23	Marvin E. Diemer	26
Robert C. Arnould	88	Minnette Doderer	98
Donald D. Avenson	14	Tom Fey	68
Elaine Baxter	36	Daniel P. Fogarty	27
Wayne Bennett	63	Robert J. Grandia	19
Dennis H. Black	3	John Groninga	20
Gene Blanshan	37	Michael E. Gronstal	21
Phil Brammer	74	Richard Groth	43
Clifford O. Branstad	25	Josephine Gruhn	39
Florence D. Buhr	13	Rod Halvorson	83
Janet Carl	73	Roger A. Halvorson	92
Dorothy F. Carpenter	62	Johnie Hammond	30
Brian Carter	11	Ward Handorf	29
Kay Chapman	55	Darrell R. Hanson	10
Ned F. Chiodo	82	William H. Harbor	94
Betty Jean Clark	34	Mark A. Haverland	78
Dale M. Cochran	93	Donald Hermann	8
Michael W. Connolly	89	Betty Hoffmann-Bright	97
John H. Connors	84	Jack Holveck	28
James J. Cooper	15	Randy Hughes	7
Paul G. Copenhaver	70	Kyle Hummel	72
Virgil E. Corey	44	Daniel J. Jay	69
Horace Daggett	46	Thomas J. Jochum	90
Philip A. Davitt	95	Don Knapp	49
Kenneth De Groot	32	Deo Koenigs	9

Name	Seat No.
Lyle Krewson	45
Raymond Lageschulte	31
Jean Lloyd-Jones	64
Joyce Lonergan	86
Ruhl Maulsby	2
John McIntee	4
Andy McKean	47
Lester D. Menke	1
Leo P. Miller	77
Louis J. Muhlbauer	16
Sue Mullins	51
Lowell E. Norland	100
James D. O'Kane	87
C. Arthur Ollie	76
David Osterberg	17
Myron B. Oxley	91
Edward G. Parker	22
Donald J. Paulin	18
Emil S. Pavich	96
Doris Peick	54
Wendell C. Pellett	33
Charles N. Poncy	66
Dennis L. Renaud	24
Bob Renken	12
Wilmer Rensink	79
Ralph Rosenberg	67
Bill Royer	40
Richard V. Running	58
Hugo Schnekloth	81
Laverne W. Schroeder	65
Gary Sherzan	52
Don Shoultz	50
Bob Skow	5
Clay Spear	53
Delwyn Stromer	99
Vic Stueland	35
Al Sturgeon	80
William R. Sullivan	71
Tom Swartz	41
George R. Swearingen	6
David Tabor	56
Semor C. Tofte	59
Janis I. Torrence	61
Mike Van Camp	57
Harlan W. Van Gerpen	42
Harold Van Maanen	48
Richard J. Varn	38
Richard W. Welden	85
Jack E. Woods	60
Jo Ann Zimmerman	75

Speaker Avenson in the chair at 2:35 p.m.

Norland of Worth moved that the assignment of seats be accepted as listed.

The motion prevailed.

STANDING COMMITTEES APPOINTED

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

AGRICULTURE – 21 Members

Cochran, Chair	Blanshan	Fogarty	Muhlbauer
Gruhn*	Carter	Halvorson, R.N.	Rensink
Pellett**	Copenhaver	Handorf	Skow
Anderson	Davitt	Hughes	Stueland
Bennett	De Groot	Koenigs	Van Maanen
			Zimmerman

APPROPRIATIONS—15 Members

Jochum, Chair	Arnould	Harbor	Mullins
Carter*	Blanshan	Hoffmann-Bright	Stueland
Welden**	Groth	Lonergan	Sturgeon
	Halvorson, R.N.	Menke	Sullivan

EDUCATION—23 Members

Groth, Chair	Carl	Hughes	Shoultz
Ollie*	Carpenter	Jay	Spear
Daggett**	Carter	Krewson	Swearingen
Branstad	Connolly	Maulsby	Van Gerpen
Buhr	Handorf	Menke	Varn
	Haverland	Poncy	Zimmerman

ENERGY—22 Members

Rosenberg, Chair	Black	Jay	Royer
Muhlbauer*	Chiodo	Knapp	Shoultz
Mullins**	Clark	Lonergan	Sullivan
Anderson	Groninga	McIntee	Torrence
Baxter	Hughes	Osterberg	Van Camp
		Paulin	Van Gerpen

FINANCE—12 Members

Connolly, Chair	Arnould	Halvorson, R.N.	Hummel
Norland*	Chiodo	Halvorson, R.A.	Jochum
Branstad**	Doderer	Hanson	Krewson

HUMAN RESOURCES—22 Members

Running, Chair	Connors	Hermann	Royer
Zimmerman*	Copenhaver	Lonergan	Sherzan
Clark**	Daggett	Mullins	Spear
Arnould	Fey	Ollie	Torrence
Carl	Hammond	Peick	Van Camp
		Rensink	Van Gerpen

JUDICIARY AND LAW ENFORCEMENT—21 Members

Jay, Chair	Corey	Holveck	Parker
Chapman*	Doderer	Knapp	Paulin
McKean**	Halvorson, R.A.	McIntee	Rosenberg
Brammer	Hammond	Maulsby	Schroeder
Clark	Haverland	Miller	Tabor
			Varn

* Vice-Chair
** Ranking Member

LABOR AND INDUSTRIAL RELATIONS—21 Members

Sturgeon, Chair	Connors	Handorf	Ollie
Sherzan*	Grandia	Hermann	Parker
Corey**	Gronstal	Hummel	Peick
Brammer	Groth	Jochum	Poncy
Branstad	Halvorson, R.A.	Miller	Running
			Schnekloth

LOCAL GOVERNMENT—22 Members

O'Kane, Chair	Connors	Menke	Running
Cooper*	Grandia	Oxley	Sherzan
Renken**	Hermann	Peick	Spear
Black	Lageschulte	Poncy	Swearingen
Buhr	Lloyd-Jones	Renaud	Tofte
		Royer	Torrence

NATURAL RESOURCES—23 Members

Sullivan, Chair	Fogarty	McKean	Skow
Black*	Grandia	O'Kane	Stueland
Diemer**	Groth	Osterberg	Tabor
Baxter	Gruhn	Paulin	Tofte
Cooper	Hanson	Pellett	Welden
	Haverland	Shoultz	Woods

RULES AND ADMINISTRATION—15 Members

Fey, Chair	Carpenter	Lloyd-Jones	Schroeder
Blanshan*	Chiodo	Lonergan	Stromer
Harbor**	Connolly	O'Kane	Swearingen
	Connors	Running	Tofte

SMALL BUSINESS AND COMMERCE—23 Members

Chiodo, Chair	Diemer	Hummel	Parker
Gronstal*	Groninga	Jochum	Renken
Schroeder**	Halvorson, R.A.	Knapp	Schnekloth
Baxter	Hanson	Lonergan	Skow
Chapman	Hoffmann-Bright	McIntee	Sturgeon
	Holveck	Oxley	Swartz

STATE GOVERNMENT—23 Members

Swartz, Chair	Buhr	Gruhn	Pavich
Hammond*	Carl	Halvorson, R.N.	Renaud
Swearingen**	Carpenter	Hanson	Rensink
Arnould	Chapman	Hoffmann-Bright	Tofte
Blanshan	De Groot	Krewson	Van Maanen
	Doderer	Lloyd-Jones	Woods

TRANSPORTATION—21 Members

Woods, Chair	Cooper	Harbor	Pavich
Koenigs*	Corey	Lloyd-Jones	Pellett
Lageschulte**	Davitt	Miller	Renaud
Bennett	Fey	Muhlbauer	Van Camp
Cochran	Fogarty	Osterberg	Van Maanen
			Welden

WAYS AND MEANS—33 Members

Doderer, Chair	Clark	Fey	O'Kane
Tabor*	Cochran	Groninga	Osterberg
Schnekloth**	Connolly	Gronstal	Oxley
Anderson	Copenhaver	Holveck	Pavich
Bennett	Daggett	Koenigs	Renken
Brammer	Davitt	Lageschulte	Rosenberg
Carpenter	De Groot	McKean	Schroeder
Chiodo	Diemer	Maulsby	Swartz
			Varn

HOUSE APPROPRIATIONS SUBCOMMITTEES

CLAIMS—4 Members

Oxley, Chair	Hummel	Paulin	Running

CORRECTIONS/MENTAL HEALTH—12 Members

Spear, Chair	Brammer	Hummel	Miller
Shoultz*	Carter	Lloyd-Jones	Sherzan
Krewson**	Halvorson, R.A.	McKean	Stueland

EDUCATION—13 Members

Poncy, Chair	Connolly	Hammond	Running
Hughes*	Daggett	Lageschulte	Swearingen
Menke**	Halvorson, R.N.	Rensink	Tabor
			Varn

HUMAN RESOURCES—12 Members

Lonergan, Chair	Carpenter	Hermann	Sturgeon
Buhr*	Cooper	Holveck	Van Gerpen
De Groot**	Gruhn	Ollie	Welden

NATURAL RESOURCES—12 Members

Knapp, Chair	Black	Diemer	Pellett
Skow*	Blanshan	Groth	Royer
Tofte**	Cochran	Paulin	Swartz

REGULATORY AND FINANCE—11 Members

Renaud, Chair	Anderson**	Corey	Muhlbauer
Peick*	Connors	Gronstal	Renken
	Copenhaver	Jay	Van Camp

SOCIAL SERVICES—12 Members

Carl, Chair	Arnould	Davitt	Haverland
Parker*	Chapman	Fey	Hoffmann-Bright
Van Maanen**	Clark	Grandia	Torrence

STATE GOVERNMENT—12 Members

Baxter, Chair	Bennett	Handorf	Schnekloth
Fogarty*	Chiodo	Mullins	Sullivan
Hanson**	Doderer	Rosenberg	Zimmerman

TRANSPORTATION—12 Members

Pavich, Chair	Branstad	McIntee	Oxley
Groninga*	Harbor	O'Kane	Schroeder
Maulsby**	Koenigs	Osterberg	Woods

HOUSE COMMITTEE ASSIGNMENTS

Anderson, James	Agriculture Energy Ways and Means Regulatory and Finance Appropriations Subcommittee, Ranking Member
Arnould, Robert	Appropriations Finance Human Resources State Government Social Services Appropriations Subcommittee

Baxter, Elaine	Energy Natural Resources Small Business and Commerce State Departments Appropriations Subcommittee, Chair
Bennett, Wayne	Agriculture Transportation Ways and Means State Departments Appropriations Subcommittee
Black, Dennis	Energy Local Government Natural Resources, Vice-Chair Natural Resources Appropriations Subcommittee
Blanshan, Gene	Agriculture Appropriations Rules and Administration, Vice-Chair State Government Natural Resources Appropriations Subcommittee
Brammer, Phil	Judiciary and Law Enforcement Labor and Industrial Relations Ways and Means Corrections/Mental Health Appropriations Subcommittee
Branstad, Clifford	Education Finance, Ranking Member Labor and Industrial Relations Transportation Appropriations Subcommittee
Buhr, Florence	Education Local Government State Government Human Resources Appropriations Subcommittee, Vice-Chair
Carl, Janet	Education Human Resources State Government Social Services Appropriations Subcommittee, Chair
Carpenter, Dorothy	Education Rules and Administration State Government Ways and Means Human Resources Appropriations Subcommittee

Carter, Brian	Agriculture Appropriations, Vice-Chair Education Corrections/Mental Health Appropriations Subcommittee
Chapman, Kay	Judiciary and Law Enforcement, Vice-Chair Small Business and Commerce State Government Social Services Appropriations Subcommittee
Chiodo, Ned	Energy Finance Rules and Administration Small Business and Commerce, Chair Ways and Means State Departments Appropriations Subcommittee
Clark, Betty Jean	Energy Human Resources, Ranking Member Judiciary and Law Enforcement Ways and Means Social Services Appropriations Subcommittee
Cochran, Dale	Agriculture, Chair Transportation Ways and Means Natural Resources Appropriations Subcommittee
Connolly, Michael	Education Finance, Chair Rules and Administration Ways and Means Education Appropriations Subcommittee
Connors, John	Human Resources Labor and Industrial Relations Local Government Rules and Administration Regulatory and Finance Appropriations Subcommittee
Cooper, James	Local Government, Vice-Chair Natural Resources Transportation Human Resources Appropriations Subcommittee

Copenhaver, Paul	Agriculture Human Resources Ways and Means Regulatory and Finance Appropriations Subcommittee Ethics, Chair
Corey, Virgil	Judiciary and Law Enforcement Labor and Industrial Relations, Ranking Member Transportation Regulatory and Finance Appropriations Subcommittee
Daggett, Horace	Education, Ranking Member Human Resources Ways and Means Education Appropriations Subcommittee
Davitt, Philip	Agriculture Transportation Ways and Means Social Services Appropriations Subcommittee
De Groot, Kenneth	Agriculture State Government Ways and Means Human Resources Appropriations Subcommittee, Ranking Member
Diemer, Marvin	Natural Resources, Ranking Member Small Business and Commerce Ways and Means Natural Resources Appropriations Subcommittee
Doderer, Minnette	Finance Judiciary and Law Enforcement State Government Ways and Means, Chair State Departments Appropriations Subcommittee
Fey, Tom	Human Resources Rules and Administration, Chair Transportation Ways and Means Social Services Appropriations Subcommittee

Fogarty, Daniel	Agriculture Natural Resources Transportation State Departments Appropriations Subcommittee, Vice-Chair
Grandia, Robert	Labor and Industrial Relations Local Government Natural Resources Social Services Appropriations Subcommittee
Groninga, John	Energy Small Business and Commerce Ways and Means Transportation Appropriations Subcommittee, Vice-Chair
Gronstal, Michael	Labor and Industrial Relations Small Business and Commerce, Vice-Chair Ways and Means Regulatory and Finance Appropriations Subcommittee
Groth, Richard	Appropriations Education, Chair Labor and Industrial Relations Natural Resources Natural Resources Appropriations Subcommittee
Gruhn, Josephine	Agriculture, Vice-Chair Natural Resources State Government Human Resources Appropriations Subcommittee
Halvorson, Rod	Agriculture Appropriations Finance State Government Education Appropriations Subcommittee
Halvorson, Roger	Finance Judiciary and Law Enforcement Labor and Industrial Relations Small Business and Commerce Corrections/Mental Health Appropriations Subcommittee

Hammond, Johnie	Human Resources Judiciary and Law Enforcement State Government, Vice-Chair Education Appropriations Subcommittee
Handorf, Ward	Agriculture Education Labor and Industrial Relations State Departments Appropriations Subcommittee
Hanson, Darrell	Finance Natural Resources Small Business and Commerce State Government State Departments Appropriations Subcommittee, Ranking Member
Harbor, William	Appropriations Rules and Administration, Ranking Member Transportation Transportation Appropriations Subcommittee
Haverland, Mark	Education Judiciary and Law Enforcement Natural Resources Social Services Appropriations Subcommittee
Hermann, Donald	Human Resources Labor and Industrial Relations Local Government Human Resources Appropriations Subcommittee Ethics
Hoffmann-Bright, Betty	Appropriations Small Business and Commerce State Government Social Services Appropriations Subcommittee
Holveck, Jack	Judiciary and Law Enforcement Small Business and Commerce Ways and Means Human Resources Appropriations Subcommittee Ethics, Vice-Chair
Hughes, Randy	Agriculture Education Energy Education Appropriations Subcommittee, Vice-Chair

Hummel, Kyle	Finance Labor and Industrial Relations Small Business and Commerce Claims Corrections/Mental Health Appropriations Subcommittee
Jay, Daniel	Education Energy Judiciary and Law Enforcement, Chair Regulatory and Finance Appropriations Subcommittee
Jochum, Thomas	Appropriations, Chair Finance Labor and Industrial Relations Small Business and Commerce
Knapp, Don	Energy Judiciary and Law Enforcement Small Business and Commerce Natural Resources Appropriations Subcommittee, Chair
Koenigs, Deo	Agriculture Transportation, Vice-Chair Ways and Means Transportation Appropriations Subcommittee
Krewson, Lyle	Education Finance State Government Corrections/Mental Health Appropriations Subcommittee, Ranking Member
Lageschulte, Raymond	Local Government Transportation, Ranking Member Ways and Means Education Appropriations Subcommittee
Lloyd-Jones, Jean	Local Government Rules and Administration State Government Transportation Corrections/Mental Health Appropriations Subcommittee
Lonergan, Joyce	Appropriations Energy Human Resources Rules and Administration Small Business and Commerce Human Resources Appropriations Subcommittee, Chair

Maulsby, Ruhl	Education Judiciary and Law Enforcement Ways and Means Transportation Appropriations Subcommittee, Ranking Member
McIntee, John	Energy Judiciary and Law Enforcement Small Business and Commerce Transportation Appropriations Subcommittee
McKean, Andy	Judiciary and Law Enforcement, Ranking Member Natural Resources Ways and Means Corrections/Mental Health Appropriations Subcommittee
Menke, Lester	Appropriations Education Local Government Education Appropriations Subcommittee, Ranking Member
Miller, Leo	Judiciary and Law Enforcement Labor and Industrial Relations Transportation Corrections/Mental Health Appropriations Subcommittee
Muhlbauer, Louis	Agriculture Energy, Vice-Chair Transportation Regulatory and Finance Appropriations Subcommittee
Mullins, Sue	Appropriations Energy, Ranking Member Human Resources State Departments Appropriations Subcommittee
Norland, Lowell	Finance, Vice-Chair
O'Kane, James	Local Government, Chair Natural Resources Rules and Administration Ways and Means Transportation Appropriations Subcommittee

Ollie, C. Arthur	Education, Vice-Chair Human Resources Labor and Industrial Relations Human Resources Appropriations Subcommittee
Osterberg, David	Energy Natural Resources Transportation Ways and Means Transportation Appropriations Subcommittee
Oxley, Myron	Local Government Small Business and Commerce Ways and Means Claims, Chair Transportation Appropriations Subcommittee
Parker, Edward	Judiciary and Law Enforcement Labor and Industrial Relations Small Business and Commerce Social Services Appropriations Subcommittee, Vice-Chair
Paulin, Donald	Energy Judiciary and Law Enforcement Natural Resources Claims Natural Resources Appropriations Subcommittee
Pavich, Emil	State Government Transportation Ways and Means Transportation Appropriations Subcommittee, Chair
Peick, Doris	Human Resources Labor and Industrial Relations Local Government Regulatory and Finance Appropriations Subcommittee, Vice-Chair
Pellett, Wendell	Agriculture, Ranking Member Natural Resources Transportation Natural Resources Appropriations Subcommittee

Poncy, Charles	Education Labor and Industrial Relations Local Government Education Appropriations Subcommittee, Chair
Renaud, Dennis	Local Government State Government Transportation Regulatory and Finance Appropriations Subcommittee, Chair
Renken, Bob	Local Government, Ranking Member Small Business and Commerce Ways and Means Regulatory and Finance Appropriations Subcommittee
Rensink, Wilmer	Agriculture Human Resources State Government Education Appropriations Subcommittee
Rosenberg, Ralph	Energy, Chair Judiciary and Law Enforcement Ways and Means State Departments Appropriations Subcommittee Ethics
Royer, Bill	Energy Human Resources Local Government Natural Resources Appropriations Subcommittee Ethics
Running, Richard	Human Resources, Chair Labor and Industrial Relations Local Government Rules and Administration Claims Education Appropriations Subcommittee
Schnekloth, Hugo	Labor and Industrial Relations Small Business and Commerce Ways and Means, Ranking Member State Departments Appropriations Subcommittee

Schroeder, Laverne	Judiciary and Law Enforcement Rules and Administration Small Business and Commerce, Ranking Member Ways and Means Transportation Appropriations Subcommittee
Sherzan, Gary	Human Resources Labor and Industrial Relations, Vice-Chair Local Government Corrections/Mental Health Appropriations Subcommittee
Shoultz, Don	Education Energy Natural Resources Corrections/Mental Health Appropriations Subcommittee, Vice-Chair
Skow, Bob	Agriculture Natural Resources Small Business and Commerce Natural Resources Appropriations Subcommittee, Vice-Chair
Spear, Clay	Education Human Resources Local Government Corrections/Mental Health Appropriations Subcommittee, Chair
Stromer, Delwyn	Rules and Administration
Stueland, Vic	Agriculture Appropriations Natural Resources Corrections/Mental Health Appropriations Subcommittee
Sturgeon, Al	Appropriations Labor and Industrial Relations, Chair Small Business and Commerce Human Resources Appropriations Subcommittee
Sullivan, William	Appropriations Energy Natural Resources, Chair State Departments Appropriations Subcommittee

Swartz, Tom	Small Business and Commerce State Government, Chair Ways and Means Natural Resources Appropriations Subcommittee
Swearingen, George	Education Local Government Rules and Administration State Government, Ranking Member Education Appropriations Subcommittee
Tabor, David	Judiciary and Law Enforcement Natural Resources Ways and Means, Vice-Chair Education Appropriations Subcommittee
Tofte, Semor	Local Government Natural Resources Rules and Administration State Government Natural Resources Appropriations Subcommittee, Ranking Member
Torrence, Janis	Energy Human Resources Local Government Social Services Appropriations Subcommittee
Van Camp, Mike	Energy Human Resources Transportation Regulatory and Finance Appropriations Subcommittee
Van Gerpen, Harlan	Education Energy Human Resources Human Resources Appropriations Subcommittee
Van Maanen, Harold	Agriculture State Government Transportation Social Services Appropriations Subcommittee, Ranking Member
Varn, Richard	Education Judiciary and Law Enforcement Ways and Means Education Appropriations Subcommittee

Welden, Richard	Appropriations, Ranking Member Natural Resources Transportation Human Resources Appropriations Subcommittee
Woods, Jack	Natural Resources State Government Transportation, Chair Transportation Appropriations Subcommittee
Zimmerman, Jo Ann	Agriculture Education Human Resources, Vice-Chair State Departments Appropriations Subcommittee

IN THE SUPREME COURT OF IOWA

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

TO THE HOUSE OF REPRESENTATIVES OF THE IOWA GENERAL ASSEMBLY:

Pursuant to the provisions of section 68B.10, The Code, the undersigned, Chief Justice of the Supreme Court of Iowa, hereby appoints Trave E. O'Hearn of LeClaire, and Mary E. Robinson, of Cedar Rapids, 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, 1983.

THE SUPREME COURT OF IOWA
W. W. Reynoldson, Chief Justice

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, 1983.

JOSEPH O'HERN, Acting 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 Seventieth General Assembly: Representative Paul Copenhaver of Buchanan County, Chair; Representative Jack Holveck of Polk County; and Representative Ralph Rosenberg of Story County.

LOWELL NORLAND
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 Seventieth General Assembly: Representative Bill Royer of Page County and Representative Donald Hermann of Scott County.

DELWYN STROMER
House Minority Leader

COMMUNICATION FROM THE SECRETARY OF STATE

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

SPEAKER, HOUSE OF REPRESENTATIVES
SEVENTIETH GENERAL ASSEMBLY

On the 10th day of January, 1983, I, Mary Jane Odell, Secretary of State of the State of Iowa, do hereby certify that the following named newspapers were designated to publish Senate Joint Resolutions No. 6 and No. 13, Acts of the Sixty-ninth General Assembly, and in accordance with the provisions of Chapter Six, Code of Iowa, 1981, affidavits showing proof of said publication are on file in this Department and are recorded as hereinafter shown:

Congressional District	Newspapers	1982 Dates Published
First	Ottumwa Courier, Ottumwa	7/20 - 8/17 - 9/14 - 10/21
	The Wapello Republican, Wapello	7/22 - 8/19 - 9/16 - 10/21
Second	The Manchester Press, Manchester	7/21 - 8/18 - 9/15 - 10/20
	Cedar Rapids Gazette, Cedar Rapids	7/21 - 8/18 - 9/15 - 10/20
Third	The Waterloo Courier, Waterloo	7/19 - 8/16 - 9/13 - 10/18
	Marshalltown Times-Republican, Marshalltown	7/20 - 8/17 - 9/14 - 10/24
Fourth	Ames Daily Tribune, Ames	7/20 - 8/17 - 9/14 - 10/19
	The Des Moines Register, Des Moines	7/21 - 8/18 - 9/15 - 10/20
Fifth	Council Bluffs Nonpareil, Council Bluffs	7/23 - 8/20 - 9/17 - 10/22
	The Messenger, Fort Dodge	7/20 - 8/17 - 9/14 - 10/20
Sixth	The Globe Gazette, Mason City	7/20 - 8/17 - 9/13 - 10/18
	The Sioux City Journal, Sioux City	7/19 - 8/16 - 9/13 - 10/18

(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 10th day of January, A.D., 1983.

MARY JANE ODELL, Secretary of State

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 C. Arnould	350
Donald D. Avenson	320
Elaine Baxter	334
Wayne Bennett	300
Dennis H. Black	104
Eugene Blanshan	140
Philip E. Brammer	266
Clifford O. Branstad	260
Florence D. Buhr	None
Janet A. Carl	114
Dorothy F. Carpenter	None
Brian Carter	270
Kathleen H. Chapman	268
Ned F. Chiodo	None
Betty Jean Clark	228
Dale M. Cochran	200
Michael W. Connolly	410
John H. Connors	None
James J. Cooper	120
Paul G. Copenhaver	296
Virgil E. Corey	300
Horace Daggett	206
Philip A. Davitt	52
Kenneth R. De Groot	508
Marvin E. Diemer	240
Minnette F. Doderer	240
Thomas H. Fey	350
Daniel P. Fogarty	316
Robert J. Grandia	92
John D. Groninga	240
Michael E. Gronstal	270
Richard L. Groth	300
K. Josephine Gruhn	424
Rodney N. Halvorson	190
Roger A. Halvorson	440
Johnie W. Hammond	74
Ward W. Handorf	166
Darrell R. Hanson	364
William H. Harbor	258
Mark A. Haverland	24

Donald F. Hermann 340
Betty Hoffmann-Bright 306
John K. (Jack) Holveck, Jr. ..... None
Randy Hughes 162
Kyle Hummel 250
Daniel J. Jay 190
Thomas J. Jochum 410
Donald J. Knapp 358
Deo A. Koenigs 328
Lyle R. Krewson ..... None
Raymond Lageschulte 276
Jean Lloyd-Jones 220
Joyce Lonergan 100
Ruhl Maulsby 230
John E. McIntee 240
Andrew J. McKean 320
Lester D. Menke 392
Leo P. Miller 424
Louis J. Muhlbauer 220
Sue B. Mullins 240
Lowell E. Norland 274
James D. O'Kane 422
C. Arthur Ollie 400
David E. Osterberg 270
Myron B. Oxley 284
Edward G. Parker 60
Donald J. Paulin 440
Emil S. Pavich 280
Doris A. Peick 270
Wendell C. Pellett 166
Charles N. Poncy 180
Dennis L. Renaud ..... None
Robert H. Renken 204
Wilmer Rensink 460
Ralph Rosenberg 70
Bill D. Royer 280
Richard V. Running 250
Hugo A. Schnekloth 360
Laverne W. Schroeder 268
Gary Sherzan ..... None
Donald L. Shoultz 220
Robert J. Skow 120
Clay Spear 330
Delwyn D. Stromer 226
Victor G. Stueland 360
H. Allan Sturgeon 424
William R. Sullivan 250
Thomas E. Swartz 102
George R. Swearingen 172
David M. Tabor 359
Semor C. Tofte 400

Janis I. Torrence 296
Michael J. Van Camp 330
Harlan W. Van Gerpen 230
Harold Van Maanen 116
Richard J. Varn 252
Richard W. Welden 144
Jack E. Woods ..... None
Jo Ann Zimmerman 24

Respectfully submitted,
RALPH ROSENBERG, Chair
RODNEY N. HALVORSON
RUHL MAULSBY

COMMUNICATIONS RECEIVED

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

COMMISSION ON THE AGING

The Fiscal Year 1982 Annual Report of the Iowa Commission on the Aging, pursuant to Chapter 249B.4, Code of Iowa.

DEPARTMENT OF JOB SERVICE

The Actuarial Report of the Iowa Job Insurance System as of December 31, 1981, pursuant to Chapter 54, Sec. 9, Acts of the Sixty-seventh General Assembly.

DEPARTMENT OF PUBLIC INSTRUCTION

The Legislative Report of the State Board of Public Instruction, pursuant to Chapter 257, Sec. 10(9) and Sec. 18(23), Code of Iowa.

A report on the evaluation of the special education instructional program, pursuant to Chapter 281, Sec. 9(6), Code of Iowa.

The Annual Plan for Education Data Processing and the Iowa Plan for the Statewide Use of Computers for Education, pursuant to Chapter 257, Sec. 10(14).

DEPARTMENT OF PUBLIC SAFETY

The preliminary first quarter Uniform Crime Report comparison for 1982, pursuant to Chapter 692.15, Code of Iowa.

The preliminary second quarter Uniform Crime Report comparison for 1982, pursuant to Chapter 692.15, Code of Iowa.

DEPARTMENT OF REVENUE

The Annual Report for the fiscal year ending June 30, 1981, pursuant to Chapter 421, Sec. 17(13), Code of Iowa.

DEPARTMENT OF SOCIAL SERVICES

The Annual Report for the fiscal year 1981, pursuant to Chapter 217, Sec. 21, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

The Iowa Primary Road Sufficiency Log, 1982, pursuant to Chapter 307A, Sec. 2, Code of Iowa.

The 1982 Annual Report of the Iowa Railway Finance Authority, pursuant to Section 307B.8(9), Code of Iowa.

A copy of the International Fuel Tax Agreement and adopting resolutions signed by representatives of Arizona, Iowa and Washington, pursuant to Chapter 1071, Laws of the Sixty-ninth General Assembly, 1982 Session.

TREASURER OF STATE

Part one of two parts of the Treasurer of State Biennial Report for the biennium ending June 30, 1981, fiscal year July 1, 1980 through June 30, 1981, pursuant to Chapter 12, Sec. 17, Code of Iowa.

The Annual Report of Filing Fees, pursuant to Chapter 12, Sec. 9, Code of Iowa.

On motion by Norland of Worth, the House adjourned at 2:46 p.m., until 9:00 a.m., Tuesday, January 11, 1983.

JOURNAL OF THE HOUSE

Second Calendar Day — Second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 11, 1983

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

Prayer was offered by the Reverend Allen Hermeier, pastor of the First Lutheran Church, Northwood.

The Journal of Monday, January 10, 1983, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Loran Parker, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Paulin of Plymouth on request of Carpenter 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 January 10, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 1, providing for the distribution of legislative materials to county auditors.

Also: That the Senate has on January 10, 1983, 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 the lieutenant governor.

K. MARIE THAYER, Secretary

ADOPTION OF MILEAGE COMMITTEE REPORT

Rosenberg of Story called up for consideration the report of the committee on mileage found on pages forty-one through forty-three of the House Journal and moved its adoption.

The motion prevailed and the report was adopted.

COMMITTEE TO NOTIFY THE SENATE

Connolly of Dubuque 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: Connolly of Dubuque, Parker of Jasper and Stueland of Clinton.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Connolly of Dubuque, chair of the committee 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 Parliamentarian of the Senate and the honorable body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Parliamentarian 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 1, duly adopted, the joint convention was called to order, President Branstad presiding.

Senator Junkins of Lee 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 Junkins of Lee moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, 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 Deluhery of Scott, Gallagher of Black Hawk and Lura of Marshall, on the part of the Senate, and Representatives Arnould of Scott, Groninga of Cerro Gordo and Schroeder of Pottawattamie, on the part of the House.

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

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

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

As I was getting ready to come here, I was handed a letter from a youngster that I would like to share with you, especially you newly elected members.

Dear Governor Ray:

I am curious what you are going to do after you leave office. Will it be politics or are you going to lead a normal life?

Mr. President, Mr. Speaker, Mr. Chief Justice, Justices and Judges, State Officials, Senators and Representatives, Guests, and Friends:

As I prepared this, my final Condition of the State message, I was reminded of what Abraham Lincoln had to say when he was told he had smallpox. Lincoln said, "Good, at last I have something I can give everybody..."

That is the approach a Governor is expected to take in this annual message — offering a detailed legislative agenda, something he gives everybody — legislators, the press, and the people of Iowa.

That is not the approach for my message, this year. You will not receive a specific thirty-five point program or a fifty-six point program — at least not from me.

This morning, I would like to reflect on what we have done together these past fourteen years, where we are today — our current condition, and where I hope to see this state headed in the years ahead.

As I leave the Governorship, the words of the poet Alfred Lord Tennyson have a special meaning: "I am part of all that I met." Certainly, those words ring true for me. I am a part of all that I met during five terms as Governor of this wonderful state.

Billie and I are fortunate to have been asked to share the highlights of so many peoples' lives — community centennials, commencements, Boys' and Girls' State, the boys' and girls' basketball tournaments, all kinds of ethnic festivals and celebrations, honors programs and special awards to Iowans. Sharing these experiences truly has been the highlight of our lives.

Talk about thrills, being among the Hawk fans watching them win the Peach Bowl has to be a highlight.

Along with the excitement, Billie and I will never forget the warmth, kindness and friendliness shown to us by tens of thousands of Iowans. Those really will be remembered as the good times.

But, we will also remember Iowans for how they acted during times of distress.

I think back to the dozens of trips I have made to the scenes of tornadoes, blizzards, droughts, floods and other disasters. I saw Iowans whose clothes were stained with mud and whose faces were covered with sweat and tears. Even though they needed temporary help, these sturdy people always came up to reassure me that they would survive, that they would rebuild and be stronger than ever before.

I am proud to have been Governor of a state inhabited with such resourceful, resilient people.

As Iowans have been tested time and time again, I have come to understand why the Chinese symbol, or ideogram, for the word crisis joins the two symbols for the words danger and opportunity. Certainly, in the past fourteen years, we Americans have witnessed episodes that produced danger and, at the same time, opportunity.

Recall the period of campus unrest in the late 1960's and early 70's. There was danger: the potential loss of life and the actual destruction of property to protest a very unpopular war. Yet, in Iowa, we seized the opportunity to prove that restrained force does work. The expression of dissent continued, a Constitutional right. And, while some of those expressions were bold, they were not bloody.

Consider the Watergate crisis in the mid-seventies. There was a danger in that too: the public's unparalleled loss of respect for a President of the United States threatened government at all levels with mistrust and cynicism. Yet, in Iowa, we seized the opportunity to demonstrate how government can be open and honest and credible. People kept their faith in us. We were able to knit a consensus on most issues and act on behalf of the people.

Remember the energy crisis in the late seventies. There was great danger: the shortage of fuel nearly stopped our cars in the streets and our tractors in the fields. People worried whether they would be able to heat their homes. Yet, in Iowa, we seized the opportunity to set up an Iowa oil pool, to clean and use our own coal, to utilize solar technology, to market Gasohol, and to be a leader in energy conservation.

Most recently, the crisis of the early 1980's has been economic — back-to-back recessions causing millions of people to be thrown out of work across this land. Here,

the danger reaches the very core of society: the individual and the family unit. Too many good people want to work, and cannot. Too many good people want to feed and clothe themselves and their families, and cannot. Too many good people want to build a better life for their children, and cannot.

In a sluggish economy, cities, counties and states also suffer because of slumping revenues. We are no exception. Yet, Iowa has seized the opportunity to make prudent changes. While other states have made drastic cuts in services or raised major taxes, or both, we have done neither. And, despite the financial beating which has sent state after state reeling into the red, we have provided a way to run state government without a sales or other major tax increase. With your continued support, we will not have a deficit in Iowa's treasury!

As difficult as they were, we have made the adjustments that caused the least amount of pain. But, with the lingering recession, and additional cuts in federal spending likely, we must remain tight-fisted. And, a tight fist today is better than an empty hand tomorrow.

For fourteen years then, we have minimized the dangers and maximized the opportunities. Every year has been different. The compelling issues in one period have gone virtually unmentioned a few years later.

It was a former president of France who once said, "To govern is to choose." Our purpose then, has been to choose wisely. We have anticipated issues early, identified courses of action, stuck by our guns, and rallied Iowans to march with us in the direction of progress.

We have not ducked controversy. Our choices have been based on comon sense, and I think most people believe they have been good ones.

Together, we have improved Iowa's business climate to attract industry and jobs. Since my first election, companies have located 1,100 plants here and expanded 2,400 more. This past year, despite the sour economy, the recession and of too many lost jobs, more new jobs were created in Iowa than in 1981. The "Hire One Now" program we began last fall has helped over 2,000 unemployed Iowans to find work. And credit is due television stations serving three Iowa regions which cooperated with Job Service of Iowa to hold successful "Job-A-Thons."

Together, we have greatly enhanced education to better prepare young Iowans. Since we began the School Foundation Plan a decade ago, state aid for public schools has totaled almost $5 billion.

And Iowa is a national leader in support for special education. The number of Iowans who have completed four years of college jumped 185 percent in the decade of the seventies. In my first Inaugural, I called for tuition grants for Iowa's private college students. We began that program right away with an appropriation of $1½ million. This year, we are providing more than ten times that much support, over $15 million. And, we have seen phenomenal growth at our vocational-technical schools.

Together, we have protected people from rising property taxes with new and expanded tax credits. In fact, property taxes as a percent of all taxation fell by twenty-five percent between 1968 and 1980. We abolished the sales tax on food and drugs to

help the needy and older Iowans on fixed incomes. We have preserved a key incentive — Iowa's single-factor corporate tax, while adding Urban Revitalization and still other job incentives that were passed last year.

Iowa farm land is now assessed on its productivity, and inheritance tax laws were changed to benefit survivors.

Together, we have more fully recognized the value of agriculture. We have begun to stem the tide of soil erosion with a cost-share conservation program that was a first in this nation. Just last week, Bob Clark, a very bright young farmer from Linn County, was in my office as we announced he would receive Iowa's first soil conservation loan.

Together, we have also made unprecedented strides with our environment. Adopting the bottle and can bill has given us a cleaner and more attractive Iowa. Our state parks now accommodate 15 million visitors every year. And, the Iowa Natural Heritage Foundation we began four years ago has already saved thousands of acres of precious prairies, marshes and wooded lands.

Together, we have conserved taxpayers' money by consolidating several state agencies, notably the Department of Transportation. The novel Railroad Branchline program has upgraded 1,200 miles of track. In the past fourteen years, we have paved 4,000 miles of roads and resurfaced 4,400 miles more. We have replaced 838 bridges. We have constructed nine new bridges across the Mississippi and Missouri Rivers. Most of them, according to my last report, are still standing.

Together, we have made a safe state even safer. Iowa's Law Enforcement Academy is a model for the nation and the State Crime Lab is aiding local law enforcement. We have reformed Iowa's court system and modernized the criminal and juvenile codes, and cracked down on drunk driving. Effective programs to combat drug abuse and alcoholism are in place, and they are working. The good news in 1982, the bottom line was this: the crime rate and the number of traffic deaths in Iowa both went down!

Together, we can be proud of other accomplishments: the Iowa Housing Finance Authority helping Iowans buy homes.... a Family Practice program training medical doctors.... and a Citizen's Aide working to cut through red tape. Nutritional programs are feeding thousands of older Iowans every day. Mental health and foster care services have been vastly improved. More women and minorities are in the state government work force. A record 99 percent of Iowa school children have been immunized. We are providing additional dollars for the arts and culture and revenue sharing with cities and counties. We have promoted "Fine Iowa Meats" outside of our state and Community Betterment here in our state — both very successful.

All of this, and more, constitutes the condition of the state — a balanced condition as vital as a balanced budget in its effect on the quality of our lives.

Despite occasional setbacks, and we have had them, we have done a lot of good for Iowans. And those Iowans, in turn, do a lot of good for people around the world. Thanks to our farmers, to those who process Iowa's commodities and others, there is perhaps no other place on this earth where so few do so much for so many.

In light of this, we must always take seriously our role in the world community. So I encourage every Iowan who watches, listens to, or reads this message to ponder some very serious matters — hunger and world trade, nuclear arms and world peace.

As we meet right now, 500 million people around the world are malnourished.... half-a-billion hungry people.... twice as many as all of the people in the United States of America. Yet, in this country, their cry of hunger is rarely heard.

With such obvious need, why, I ask, must Iowa farmers confront so many trade barriers? The question is even more timely with the news last week that America set a record trade deficit last year. The answer does not lie in erecting trade barriers of our own, as some suggest. The answer lies in stronger negotiation. Iowa's top cattle and pork officials joined me in a visit to Japan last fall to discuss this issue at length. We delivered a firm message that cargo ships bringing Japanese Toyotas, Datsuns, Hondas and Sony TV's across the Pacific should be met by ships carrying more Iowa corn, beans, beef and pork to that country going the other way!

Still agricultural exports have multiplied tenfold during the time I have been Governor. By promoting "Iowa productivity and quality," as suggested by David Belin, there is reason to believe this kind of growth can continue. Our food and manufactured equipment have the potential to do so much good, from the isolated villages in Nigeria to the overcrowded cities in the Far East.

Another Iowa foreign office, this one in Asia, and new export trading companies can realize much of that potential. And, if we save our fragile soil, this state could be a steady source of exports well into the twenty-first century. But, also there must be a twenty-first century.

This morning, as we discuss jobs and hunger and trade — every one a matter of urgent priority — ponder for a moment the vulnerability of every Iowan, every American, every man, woman and child on this planet — due to the peril of nuclear arms. The arms race can never be won. Yet the super-powers keep pouring more billions of dollars into defense, producing weapons of destruction, instead of instruments of peace.

As the Bible commands us, this truly is the time to beat swords into plowshares, before it is too late. The answer lies with open communication and mutual understanding. After I leave the Governorship, Billie and I intend to spend some time this year working for the Friendship Force, and hopefully in developing our new "sister-state" relationship with Hebei province, in the People's Republic of China.

Regardless of what my pursuits might be, my interests and concern will always remain deeply rooted in our state. That is why my administration has made considerable effort to prepare for this session — to define issues and put forward ideas which I commend to you today.

If your interest is jobs — and there can be no issue more important in 1983 — read the recommendations of our High Technology Task Force. Move swiftly to act on these and other job incentives.

If your interest is education, consider the findings of the Governor's Science Advisory Council regarding science and mathematics instruction. Prepare to receive the report of the Foreign Language Task Force, chaired by President Jim Freedman of the University of Iowa. And, recall how plans for a new Law School at Iowa got shelved in the final hours of last year's session. I urge you to consider the Regents' bonding proposal.

If your interest is Iowa's infrastructure, study the sixty proposals released just last month from the Blue Ribbon Transportation Task Force.

If your interest is in the safety of people, look long and hard at the ideas coming from our Drunk Driving and Child Care Task Forces, and reconsider my plan from last year for a classified sentencing system.

If your interest is quality health care, the Governor's Health Care Cost Containment Commission has outlined comprehensive suggestions that deserve your review.

And, if your interest is water resources, follow closely the work of our Missouri River Coordinator.

I would also urge you to keep open minds and to take a fresh look at two worthwhile ideas. One is a Washington, D.C. office for the State of Iowa. Someday, a majority of lawmakers will see the benefit of a small office that could actually cut our costs in dealing with the federal government — while also protecting Iowa's interests. Second, I still believe people should be allowed to use the local option concept to raise revenue if that be their desire.

Looking to the past and the future, I ask you to support efforts to add to the generous Herrick gift you have wisely earmarked for a new Historical Building.

I also ask you to look ahead, much as we did several years ago with Iowa: 2000. Without slighting current problems which you must deal with, do not become so preoccupied or distorted by them that you avoid long-range planning.

I ask you to offer hope to young people who will live in Iowa's future, and reassurance to older Iowans, to whom we owe so very much. And, with your voices and your votes, I ask you to show special compassion for the poor and the handicapped. Those people who cannot fend for themselves.

This will be a challenging year for all of you — with the demands on the budget, pressure on the Unemployment Trust Fund and the many other matters you will debate in the months ahead.

To you who are legislative veterans, you know what challenges are all about, and you have my appreciation for helping meet them while I have been here.

To you who are here for the first time, you have my congratulations and my best wishes. For you are entering an exciting period in your lives.

To all of you, I join our Iowans in expressing more interest in the final product of this session than in the politics which will shape it.

One year from now, January, 1984, marks the 100th anniversary of the first legislative session held under this "Golden Dome." What better way to mark this centennial than with a General Assembly enveloped in a spirit of bi-partisan cooperation. I know that sounds optimistic, but is there a better approach? I think not.

You begin your efforts with the knowledge that Governor-Elect Terry Branstad is willing to listen and wants to work with you. Our new Governor is experienced and prepared for this office. There hasn't been a smoother or better transition in the United States. And Terry, I stand ready to help in any way that you ask.

When I assumed this office, in 1969, I said, among a lot of things, "Each successive Iowa Governor has made his contribution.... to the realization of mankind's quest toward a more perfect society, where illness and cruelty and bitterness and war will be no more. It is a quest which has no end, but which makes us a little better tomorrow than we are today...."

I have sought to make my contribution as best I could.

I have had some great help. To my loyal, hardworking staff, to the department heads and all of the men and women in the Executive Branch, to the people who have given of their time to serve on state boards and commissions, to you the legislators and yes, to the press, you have my thanks. To the voters who put their trust and faith in me for five terms, and to all Iowans, I will be forever grateful for the opportunity to have served and led Iowa during these exciting times.

While the Governorship I began fourteen years ago ends in a few days, mankind's quest toward a more perfect society continues. I intend to remain a part of it. But for now, on behalf of Billie, Randi, Lu Ann and Vicki, let me just simply say thank you again and good-bye....

ADOPTION OF EXTRAORDINARY RESOLUTION

Senator Junkins of Lee asked and received unanimous consent for the immediate consideration of the following Extraordinary Resolution and moved its adoption:

SEVENTIETH GENERAL ASSEMBLY

EXTRAORDINARY RESOLUTION

By: Anderson, Arnould, Avenson, Baxter, Bennett, Black, Blanshan, Brammer, Branstad, Buhr, Carl, Carpenter, Carter, Chapman, Chiodo, Clark, Cochran, Connolly, Connors, Cooper, Copenhaver, Corey, Daggett, Davitt, De Groot, Diemer, Doderer, Fey, Fogarty, Grandia, Groninga, Gronstal, Groth, Gruhn, R. N. Halvorson, R. A. Halvorson, Hammond, Handorf, Hanson, Harbor, Haverland, Hermann, Hoffmann-Bright, Holveck, Hughes, Hummel, Jay, Jochum, Knapp, Koenigs, Krewson, Lageschulte, Lloyd-Jones, Lonergan, Maulsby, McIntee, McKean, Menke, Miller, Muhlbauer, Mullins, Norland, O'Kane, Ollie, Osterberg, Oxley, Parker, Paulin, Pavich, Peick, Pellett, Poncy, Renaud, Renken, Rensink, Rosenberg, Royer, Running, Schnekloth, Schroeder, Sherzan, Shoultz, Skow, Spear, Stromer, Stueland, Sturgeon, Sullivan, Swartz, Swearingen, Tabor, Tofte, Torrence, Van Camp, Van Gerpen, Van Maanen, Varn, Welden, Woods, Zimmerman

Anderson, Briles, Brown, Bruner, Carr, Coleman, Colton, Deluhery, Dieleman, Doyle, Drake, Gallagher, Gentleman, Gettings, Goodwin, Gratias, Hall, Hester, Holden, Holt, Horn, Hulse, Hultman, Husak, Hutchins, Jensen, Junkins, Kinley, Lind,

Lura, Mann, A. Miller, C. Miller, Nystrom, Palmer, Priebe, Readinger, Rife, Ritsema, Rodgers, Schwengels, Slater, Small, Taylor, Tieden, Vande Hoef, Van Gilst, Waldstein, Wells, Welsh

Whereas Robert D. Ray today addressed the Seventieth General Assembly of the State of Iowa and in so doing, has addressed the eighth and last Iowa legislative body he will meet as Governor of this state, and

Whereas this Joint Convention of one hundred representatives and fifty senators therefore is honored to represent the four hundred-fourteen men and women who served in each of the seven General Assemblies during Robert D. Ray's fourteen-year tenure as governor, and

Whereas beginning today the state's historians will record and evaluate the ways in which Robert Ray's public service has enriched the history of state government in Iowa, and the ways in which his service has touched the lives of all Iowans, *Now Therefore,*

Be It Resolved That the Seventieth General Assembly of Iowa in Joint Convention remark for posterity upon Governor Robert D. Ray's relationship as Chief Executive of this State with the Legislative Branch of Iowa State Government, to wit:

Robert D. Ray's tenure is marked by a constructive separation of powers during which the governor's policy objectives have been clearly and consistently stated, leaving the legislature free to express its constitutionally-mandated independence. The results of this relationship will be recalled in more detail than can be expressed in this resolution, but for legislators whose service parallels Governor Ray's, four general contributions will serve as reminders of hundreds of policy changes they fashioned from 1969 until today:

1. Significant state governmental reorganization, with a chief executive office strengthened through enhanced executive accountability.

2. Fundamental and positive shifts in funding the state's public education system through a formula designed to reflect policies of tax equity and high educational quality.

3. Statutory and executive consideration of human rights, as evidenced through strengthened civil rights law, criminal law, Iowa's early endorsement of a federal Equal Rights Amendment, and most recently highlighted by Iowa's national reputation as a haven for the refugees of war.

4. State fiscal policies that go beyond balance sheets in ledger books to reflect progressive state social and environmental policy.

Be It Further Resolved, that since this Joint Convention particularly wishes to come to the aid of Iowa's younger history scholars, we hereby dedicate this resolution most especially to the school children of Iowa, in whose hands it will one day be footnoted as a reference to support these Robert D. Ray "firsts":

—Iowa's first twentieth century four-year term governor.

—Iowa's first five-term governor.

—Iowa's first fourteen-year governor.

—Iowa's first governor to occupy Terrace Hill.

—Iowa's first governor to serve during annual legislative sessions.

We hereby admonish future writers, historians, and journalists, young and old, to temper their written recollections of the Robert D. Ray years with wisdom and compassion and thoroughness; and

Be It Further Resolved by the Seventieth General Assembly in Joint Convention, That a copy of this resolution be forwarded to Governor Robert D. Ray, and to Billie Ray, where it is hoped it will be received as a symbol of appreciation, good wishes and affection extended by the people of Iowa to the Governor, the First Lady, and their family.

The motion prevailed and the resolution was adopted.

Senator Junkins of Lee presented Governor Robert D. Ray with an enrolled copy of the resolution.

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

CANVASS OF VOTES

President Branstad 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 2, 1982, and announced as teller, on the part of the Senate, Senator Slater of Pottawattamie, and assistant tellers Senators Dieleman of Marion and Taylor of Hardin, and as teller, on the part of the House, Representative Jochum of Dubuque, and assistant tellers Representatives Holveck of Polk and Daggett of Taylor.

President Branstad 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 2, 1982.

On motion by Norland of Worth, the joint convention recessed until 10:15 a.m., Friday, January 14, 1983 at Veterans Memorial Auditorium.

The House reconvened, Speaker Avenson in the chair.

ADOPTION OF SENATE CONCURRENT RESOLUTION 1

Norland of Worth asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 1, a resolution relating to the distribution of legislative materials, as follows and moved its adoption:

SENATE CONCURRENT RESOLUTION 1
By Committee on Rules and Administration

Be It Resolved by the Senate, the House Concurring, That the superintendent of printing be instructed to mail to each county auditor in the state of Iowa who has filed a written request with the secretary of the senate and the chief clerk of the house, one copy of the daily proof senate and house journals, one copy of each senate and house bill, one copy of each senate and house reprinted bill, one copy of each senate and house enrolled bill, and one copy of each senate and house clip sheet, for the duration of the seventieth general assembly, and that the same be furnished to such officers free of charge, to be paid for out of the general fund from funds not otherwise appropriated.

Be It Further Resolved, That each county auditor may elect to receive daily all of the items enumerated above or only those items designated by the auditor, and that no such mailings will be made until a written request has been filed.

Be It Further Resolved, That the superintendent of printing be instructed to mail to each member of Iowa's congressional delegation who has not waived the right of receipt, one copy of the daily proof senate and house journals, one copy of each senate and house bill, one copy of each senate and house reprinted bill, one copy of each senate and house enrolled bill, and one copy of each senate and house clip sheet, for the duration of the seventieth general assembly, and that the same be furnished to such officers free of charge, to be paid for out of the general fund from funds not otherwise appropriated.

Be It Further Resolved, That the superintendent of printing make such mailings at least once weekly.

The motion prevailed and the resolution was adopted.

HOUSE RULE 61 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend House Rule 61 for committee meetings held today.

On motion by Norland of Worth, the House was recessed at 11:47 a.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 1, by Chiodo, Schroeder and Clark, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor.

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

House File 2, by Menke, a bill for an act authorizing the transfer of certain cases involving mental health commitments from the county of commitment to the county of legal settlement.

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

House File 3, by Clark, a bill for an act to permit the governor to accept offers made by the United States to retrocede property to the state.

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

House File 4, by Sullivan, a bill for an act relating to the definition of a parcel of land in relation to fees charged by county auditors for transfers made in the transfer books.

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

House File 5, by Clark, a bill for an act relating to the use of infant, convertible, and child passenger restraint systems and safety belts and safety harnesses by persons under four years of age and providing civil penalties.

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

House File 6, by Clark, a bill for an act converting judicial election districts two A and two B into separate judicial districts two and nine, respectively.

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

House File 7, by Harbor, a bill for an act declaring shattercane (sorghum bicolor) a secondary noxious weed.

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

House File 8, by Skow, a bill for an act to prohibit recipients under certain public retirement systems from being considered employees under the Iowa public employees' retirement system.

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

House File 9, by Clark, a bill for an act relating to funding for the commission on professional and occupational regulation and making an appropriation.

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

House File 10, by Bennett, a bill for an act relating to the payment of salaries and expenses of judges of the court of appeals.

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

House File 11, by Bennett, a bill for an act to provide for the issuance of special motor vehicle registration plates to persons holding a temporary restricted driving permit under section 321.281 or 321.283 or chapter 321B.

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

House File 12, by Spear, a bill for an act relating to authority for appointments and promotions of employees under city civil service in certain cities.

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

House File 13, by Clark, a bill for an act to permit an adult to direct the withholding of life-sustaining procedures during a terminal condition and providing a penalty.

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

House File 14, by Daggett, a bill for an act to appropriate funds for the Little River watershed project.

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

House File 15, by Spear, 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 16, by Halvorson of Clayton, a bill for an act to provide immunity from civil liability to certain school employees who report their belief that a student is under the influence or in possession of alcoholic beverages or controlled substances.

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

House File 17, by Spear, a bill for an act relating to the penalty for furnishing an intoxicating beverage to an inmate or for introducing an intoxicating beverage into the premises of a detention facility, correctional institution, or any institution under the management of the department of social services.

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

House File 18, by Schnekloth, a bill for an act relating to the display of registration plates on motor vehicles.

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

House File 19, by Halvorson of Clayton and Jay, a bill for an act relating to the reduction of sentences for inmates convicted of crime for which there is a mandatory minimum sentence.

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

House File 20, by Daggett, a bill for an act to add to the budget enrollment of a school district an amount for sparsity of pupils.

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

House File 21, by Clark, a bill for an act requiring a school bus driver to complete a school bus driver's training course.

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

House File 22, by Spear, a bill for an act relating to cellhouse seventeen at the state penitentiary.

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

House File 23, by Welden, a bill for an act relating to the disapproval of an administrative rule by legislative resolution.

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

House File 24, by Halvorson of Clayton, Jay and Daggett, a bill for an act relating to criminal responsibility for the commission of a public offense while insane or mentally ill.

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

House File 25, by Sullivan, a bill for an act relating to procedures to be followed by drainage districts in which are located ditches, drains, or natural watercourses constituting common outlets, when certain work is necessary upon such common outlets.

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

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House Concurrent Resolution 2 and to suspend House Rule 36.8 relating to the filing of amendments.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 2

Fey of Scott called up for consideration House Concurrent Resolution 2, relating to the joint rules of the Seventieth General Assembly, as follows:

HOUSE CONCURRENT RESOLUTION 2
By Rules and Administration

Be It Resolved by the House of Representatives, the Senate Concurring, That the joint rules of the house and senate in the seventieth general assembly shall be:

JOINT RULES OF THE HOUSE AND SENATE

Rule 1

Suspension of Joint Rules

The joint rules of the general assembly may be suspended by concurrent resolution, duly adopted by a constitutional majority of the senate and the house.

Rule 2

Designation of Sessions

Each regular session of a general assembly shall be designated by the year in which such regular session commences.

Rule 3

Sessions of a General Assembly

The election of officers, organization, hiring and compensation of employees, and standing committees in each house of the general assembly and action taken by each house shall carry over from the first to the second regular session and to any extraordinary session of the same general assembly. The status of each bill and resolution shall be the same at the beginning of each session as it was immediately before adjournment of the previous regular or extraordinary session; however the rules of either house may provide for re-referral of some or all bills and resolutions to standing committees upon adjournment of each session or at the beginning of a subsequent regular or extraordinary session, except those which have been adopted by both houses in different forms.

Upon final adoption of a concurrent resolution at any extraordinary session affecting that session, or at a regular session affecting any extraordinary session which may be held

before the next regular session, the creation of any calendar by either house shall be suspended and the business of the session shall consist solely of those bills or subject matters stated in the resolution adopted. Bills named in the

Page 2

resolution, or bills containing the subject matter provided for in the resolution, may, at any time, be called up for debate in either house by the majority leader of that house.

Rule 4

Presentation of Messages

All messages between the two houses shall be sent by the secretary of the senate or the chief clerk of the house of representatives, shall be announced and communicated to the chair.

Rule 5

Printing and Form of Bills and Other Documents

Bills and joint resolutions shall be introduced, numbered, prepared, and printed as provided by law, or in the absence of such law, in a manner determined by the secretary of the senate and the chief clerk of the house of representatives.

All bills and joint resolutions introduced shall be in a form and number approved by the secretary of the senate and chief clerk of the house.

The legal counsel of each house shall approve all bills before introduction.

Rule 6

Companion Bills

Identical bills introduced in each house shall be called companion bills. Each house shall designate the sponsor in the usual way followed in parentheses by the sponsor of the companion bill in the other house. The house where the bill is first introduced shall print the complete text.

Rule 7

Reprinting of Bills

Whenever any bill has been substantially amended by either house, the secretary of the senate or the chief clerk shall order the bill reprinted on paper of a different color. All adopted amendments shall be distinguishable.

The secretary of the senate or the chief clerk may order

Page 3

the printing of a reasonable number of additional copies of any bill, resolution, amendment, or journal.

Rule 8

Daily Clip Sheet

The secretary of the senate and the chief clerk shall prepare a daily clip sheet covering all amendments filed.

Rule 9

Reintroduction of Bills and Other Measures

A bill or resolution which has passed one house and is rejected in the other shall not be introduced again during that general assembly.

Rule 10

Certification of Bills and Other Enrollments

When any bill or resolution which has passed one house is rejected or adopted in the other, notice of such action and the date thereof shall be given to the house of origin in writing signed by the secretary or the chief clerk.

Rule 11

Code Editor's Correction Bill

A bill recommended by the code editor which is introduced by a committee of the house or senate within the first four weeks of convening of a legislative session and which contains code corrections of a nonsubstantive nature shall not be amended on the floor of either house except pursuant to corrective or nonsubstantive amendments filed by the judiciary committee of either the house or the senate.

Rule 12

Amendments by Other House

I. When a bill which originated in one house is amended in the other house, the house originating the bill may amend the amendment, concur in full in the amendment, or refuse to concur in full in the amendment. Precedence of motions shall be in that order. If the amendment from the other house contains a provision that has a fiscal impact, the bill may be referred to the finance committee for such time as is

specified in the motion to refer. The finance committee shall report the bill by the date specified with or without recommendation or the bill shall automatically be placed on the calendar.

A. If the house originating the bill concurs in the amendment, the bill shall then be read for the last time as amended, and placed upon its final passage.

B. If the house originating the bill refuses to concur in the amendment, the bill shall be returned to the amending house which shall either:

1. Recede, after which the bill shall be read for the last time and placed upon its final passage; or

2. Insist, which will send the bill to a conference committee.

C. If the house originating the bill amends the amendment, that house shall concur in the amendment as amended and the bill shall be read for the last time as amended, shall be placed on final passage, and shall be returned to the other house. The other house cannot further amend the bill.

1. If the amending house which gave second consideration to the bill concurs in the amendment to the amendment, the bill shall then be read for the last time as finally amended, and placed upon its final passage.

2. If the amending house refuses to concur in the amendment to the amendment, the bill shall be returned to the house originating the bill which shall either:

a. Recede, after which the bill shall be read for the last time as amended and placed upon its final passage; or

b. Insist, which will send the bill to a conference committee.

II. A motion to recede has precedence over a motion to insist. Failure to recede means to insist; and failure to insist means to recede.

III. A motion to lay on the table or to indefinitely postpone shall be out of order with respect to motions to

Page 5

recede from or insist upon and to amendments to bills which have passed both houses.

IV. A motion to concur, refuse to concur, recede, insist, or adopt a conference committee report is in order even though the subject matter has previously been acted upon.

Rule 13

Conference Committee

1. Within one legislative day after either house insists upon an amendment to a bill, the presiding officer of the house, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members to a conference committee. The presiding officer of the senate, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members to a conference committee. The papers shall remain with the house that originated the bill.

2. The conference committee shall meet before the end of the next legislative day after their appointment, shall select a chair and shall discuss the controversy.

3. The authority of the committee shall cover free conference during which the committee has authority to propose amendments to any portion of a bill provided the amendment is within the scope of the title of the bill.

4. An agreement on recommendations must be approved by at least three members from each house. The committee shall submit two originals of the report signed by at least three members of each house with one signed original and three copies to be submitted to each house. The report shall first be acted upon in the house originating the bill. Such action, including all papers, shall be immediately referred by the

secretary of the senate or the chief clerk of the house of representatives to the other house.

5. The report of agreement is debatable, but cannot be

Page 6

amended. If the report contains recommended amendments to the bill, adoption of the report shall automatically adopt all amendments contained therein. After the report is adopted, there shall be no more debate, and the bill shall immediately be placed upon its final passage.

6. Refusal of either house to adopt the conference committee report has the same effect as if the committee had disagreed.

7. If the conference committee fails to reach agreement, a report of such failure signed by at least three members of each house shall be given promptly to each house. The bill shall be returned to the house that originated the bill and the members of the committee shall be immediately discharged and a new conference committee appointed by the presiding officer of each house. The presiding officer of the house, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members all of whom shall not have previously served on a conference committee on the bill under consideration. The presiding officer of the senate, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members all of whom shall not have previously served on a conference committee on the bill under consideration.

Rule 14

Enrollment and Authentication of Bills

A bill or resolution which has passed both houses shall be enrolled in the house of origin under the direction of either the secretary or the chief clerk and its house of origin shall be certified by the endorsement of the secretary or the chief clerk.

After enrollment, each bill shall be signed by the president and by the speaker.

Page 7

Rule 15

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 16

Transmission of Bills to the Governor

After a bill has been signed in each house, it shall be presented to the governor by the secretary or the chief clerk of the house of origin. The secretary or the chief clerk shall report the date of the presentation, which shall be entered upon the journal of the house of origin.

Rule 17

Fiscal Notes

A fiscal note shall be attached to any bill or joint resolution which reasonably could have an annual effect of at least one hundred thousand dollars or a combined total effect within five years after enactment of five hundred thousand dollars or more on the aggregate revenues, expenditures or fiscal liability of the state or its subdivisions. However, notwithstanding the fiscal limitations stated in this rule, any bill referred to a finance committee of either house shall have a fiscal note attached to it when reported out of the finance committee. This rule does not apply to appropriation measures where the total effect is stated in dollar amounts.

The preliminary determination of whether the bill appears to require a fiscal note shall be made by the legislative service bureau which shall send a copy of the request to the legislative fiscal bureau unless the requestor specifies the request is to be confidential. Upon completion of the bill

draft, the legislative service bureau shall immediately send a copy to the legislative fiscal director for review. If the legislative fiscal bureau confirms that a fiscal note is required, the words "FISCAL NOTE REQUIRED" shall be prominently stamped on the bill jacket.

When a committee reports a bill to the floor, the committee shall state in the report whether a fiscal note is or is not required.

The fiscal note shall be printed on the bill before introduction if practicable; and in any event the secretary of the senate or chief clerk of the house shall attach the fiscal note to the bill as soon as it is available.

The legislative fiscal director shall prepare the fiscal note within a reasonable time after receiving the request and necessary information. A copy of the fiscal note shall be filed by the legislative fiscal director, for distribution, with the secretary of the senate or the chief clerk of the house unless within one legislative day a request for a revised fiscal note is filed with the legislative fiscal director. The legislative fiscal director may request the cooperation

of the state comptroller or any state department or agency. If a fiscal note is prepared by the comptroller or any state department or agency at the request of the fiscal director, that fact shall be stated in the note.

Each fiscal note shall state in dollars the estimated effect of the bill on the revenues, expenditures, and fiscal liability of the state during the first five years after enactment. The information shall specifically note the fiscal impact for the first two years following enactment and the anticipated impact for the succeeding three years. Sources of funds for expenditures under the bill shall be stated, including federal funds. If the fiscal director cannot make an accurate estimate, the director shall state the best available estimate or shall state that no dollar estimate can be made and state concisely the reason.

Page 9

The fiscal note shall be attached or printed in the bill following the explanation or shall be printed in the daily clip sheet.

A revised fiscal note may be requested by a committee chair or a sponsor of the bill if the fiscal effect of the bill has been changed by adoption of an amendment. However, a request for a revised fiscal note shall not delay action on a bill unless so ordered by the presiding officer of the house in which the bill is under consideration.

If a date for adjournment has been set, then a constitutional majority of the house in which the bill is under consideration may waive the fiscal note requirement during the three days prior to the date set for adjournment.

Rule 18

Joint Legislative Intern Committee

There shall be a joint legislative intern committee to organize and supervise a legislative intern program for Iowa college and university students. The committee shall consist of fourteen members: two members of the senate, one appointed by the majority leader and one appointed by the minority leader; two members of the house, one appointed by the majority leader and one appointed by the minority leader; the secretary of the senate or his or her designee; the chief clerk of the house or his or her designee; the director of the legislative service bureau or his or her designee; a person from each of the three state universities selected by each of the universities; a person representing the Drake University College of Law selected by Drake University; a person representing the University of Iowa College of Law selected by the college of law; and two persons from Iowa private colleges selected by the other members of the committee.

The members of the joint legislative intern committee, except the two persons from Iowa private colleges, shall be named by the appropriate appointing authorities within twenty days after the convening of the first regular session of each

Page 10

general assembly. The two persons from Iowa private colleges will be selected at the committee's first meeting, or as soon as practical. Members shall serve until their successors have been duly appointed or selected. The committee shall elect a chair and vice chair from its membership. A vacancy shall be filled in the same manner as the original appointment.

The purpose of the legislative intern program shall be: 1) to provide useful staff services to legislators not otherwise provided by the general assembly; 2) to give interested college, graduate, and law school students practical experience in the legislative process as well as providing a meaningful educational experience; and 3) to enrich the curriculum of participating colleges and universities.

The joint legislative intern committee shall have the following duties and responsibilities:

1. Provide procedures for the recruitment, selection, assignment, and supervision of all interns in each house.

2. Establish the duties of interns.

3. Provide orientation and seminar programs for interns.

4. Consult and work with faculty and staff at Iowa colleges and universities to encourage participation in the legislative intern program.

5. Prepare and distribute materials designed to explain the legislative intern program.

6. Prescribe all necessary forms.

7. Make recommendations to the general assembly regarding the legislative intern program.

8. Such other duties and responsibilities as are necessary to effectively organize and supervise the legislative intern program.

The joint legislative intern committee shall report to the general assembly in January of each year. The report shall include a description of the results of the legislative intern program during the last preceding session and the proposed legislative intern program for the session convening

Page 11

during the month the report is submitted.

Rule 19

Administrative Rules Review Committee Bills

A bill which relates to departmental rules approved by the administrative rules review committee and approved by a majority of the committee's members of both houses is eligible for introduction in either house at any time and must be referred to a standing committee, which must take action on final disposition of the bill within two weeks of referral.

Rule 20

Time of Committee Passage and Consideration of Bills

1. This rule does not apply to concurrent or simple resolutions, senate confirmations, or bills passed by both houses in different forms. Subsection 2 of this rule does not apply to appropriations bills, ways and means bills, finance committee bills, legalizing acts, administrative rules review committee bills, bills cosponsored by majority and minority floor leaders of one house, bills in conference committee, and companion bills sponsored by the majority floor leaders of both houses after consultation with the respective minority floor leaders. For the purposes of this rule, a joint resolution is considered as a bill.

2. To be placed on the calendar in the house of origin, a bill must be first reported out of the committee of first referral by Friday of the 10th week of the first session and the 8th week of the second session. To be placed on the calendar in the other house, a bill must be first reported out of the committee of first referral by Friday of the 13th week of the first session and the 11th week of the second session.

3. During the 11th week of the first session and the 9th week of the second session, each house shall consider only bills originating in that house and unfinished business. During the 14th week of the first session and the 12th week

Page 12

of the second session, each house shall consider only bills originating in the other house and unfinished business. Beginning with the 15th week of the first session and the 13th week of the second session, each house shall consider only bills passed by both houses, bills exempt from subsection 2 and unfinished business.

4. A motion to reconsider filed and not disposed of on an action taken on a bill or resolution which is subject to a deadline under this rule may be called up at any time before or after the day of the deadline by the person filing the motion or after the deadline by the majority floor leader, notwithstanding any other rule to the contrary.

Harbor of Mills offered the following amendment H–3002 filed by Harbor, Hummel, Van Maanen, Renken, De Groot and Halvorson of Clayton from the floor and moved its adoption:

H–3002

Amend House Concurrent Resolution 2 as follows:

1. Page 2, line 27 by striking the word "The" and inserting in lieu thereof the words "Only the".

Amendment H—3002 lost.

Harbor of Mills offered the following amendment H—3004 filed by Harbor, Hummel, Van Maanen, Renken, De Groot and Halvorson of Clayton from the floor and moved its adoption:

H—3004

Amend House Concurrent Resolution 2 as follows:
1. Page 3, line 34 by striking the word "may" and inserting in lieu thereof the word "shall".

A non-record roll call was requested.

The ayes were 38, nays 56.

Amendment H—3004 lost.

Harbor of Mills offered the following amendment H—3005 filed by Harbor, Hummel, Renken, De Groot, Halvorson of Clayton and Carpenter from the floor:

H—3005

Amend House Concurrent Resolution 2 as follows:
1. By striking page 3, line 34, through page 4, line 1, and inserting in lieu thereof the following: "contains a provision that has a fiscal impact which would necessitate a fiscal note if the amendment were a bill, the bill shall be referred to the finance committee by the presiding officer for a specified time. The finance committee shall".

Lloyd-Jones of Johnson in the chair at 2:02 p.m.

Harbor of Mills moved the adoption of amendment H—3005.

Roll call was requested by Stromer of Hancock and Bennett of Ida.

On the question "Shall amendment H—3005 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot

Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 55:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Jay
Jochum	Knapp	Koenigs	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Madam Speaker (Lloyd-Jones)	

Absent or not voting, 6:

Chapman	Hughes	Lonergan	Paulin
Pavich	Shoultz		

Amendment H—3005 lost.

Harbor of Mills offered the following amendment H—3001 filed by Harbor, Renken, Halvorson of Clayton, Carpenter, Van Maanen and Lageschulte from the floor and moved its adoption:

H—3001

Amend House Concurrent Resolution 2 as follows:

1. Page 6, by striking lines 15 through 26, and inserting in lieu thereof the following: "presiding officer of each house in the same manner as the first conference committee was appointed except members shall not have previously served on a conference committee on the bill under consideration."

Amendment H—3001 was adopted.

Doderer of Johnson offered the following amendment H—3006 filed by her from the floor and moved its adoption:

H—3006

Amend House Concurrent Resolution 2 as follows:
1. Page 7, line 4, by striking the word "his".
2. Page 7, line 29, by inserting after the word "appropriation" the words "and ways and means".
3. Page 8, line 10, by striking the words "in any event".
4. Page 11, line 9, by striking the word "two" and inserting in lieu thereof the word "three".
5. Page 11, line 10, by inserting after the word "referral" the following: ", except bills referred to appropriations, ways and means, and finance committees".

Amendment H—3006 was adopted.

Spear of Lee offered the following amendment H—3009 filed by him from the floor and moved its adoption:

H—3009

Amend House Concurrent Resolution 2 as follows:
1. Page 11, by striking lines 4 and 5, and inserting in lieu thereof the following:
"A bill which relates to departmental rules and which is approved by the administrative rules review committee by".

Amendment H—3009 was adopted.

Harbor of Mills offered the following amendment H—3003 filed by Harbor, De Groot, Halvorson of Clayton, Renken, Carpenter and Lageschulte from the floor:

H—3003

Amend House Concurrent Resolution 2 as follows:
1. Page 11, line 17 by inserting after the word "bills" the words "dealing with only fiscal matters".

Speaker Avenson in the chair at 2:42 p.m.

Mullins of Kossuth in the chair at 2:53 p.m.

Harbor of Mills moved the adoption of amendment H—3003.

Roll call was requested by Lageschulte of Bremer and De Groot of Lyon.

On the question "Shall amendment H—3003 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden	Madam Speaker (Mullins)	

The nays were, 58:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Holveck
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman		

Absent or not voting, 3:

Hughes	Lonergan	Paulin

Amendment H—3003 lost.

Norland of Worth asked and received unanimous consent that the following named persons be recorded as voting on amendment H—3003 and the votes were so recorded as follows: Jay, "nay" and Rensink "aye."

Harbor of Mills offered the following amendment H—3007 filed by Harbor, Hummel, Halvorson of Clayton, Carpenter, Lageschulte and Menke from the floor:

H—3007

Amend House Concurrent Resolution 2 as follows:

1. By striking Page 11, line 13 through page 12, line 12, and inserting in lieu thereof the following:

"1. This rule does not apply to concurrent or simple resolutions, senate confirmations, or bills passed by both houses in different forms. Subsection 2 of this rule does not apply to appropriations bills, ways and means bills, finance committee bills dealing with only fiscal matters, legalizing acts, administrative rules review committee bills, bills cosponsored by majority and minority floor leaders of one house, bills in conference committee, and companion bills sponsored by the majority floor leaders of both houses after consultation with the respective minority floor leaders. For the purposes of this rule, a joint resolution is considered as a bill.

2. To be placed on the calendar in the house of origin, an individually sponsored bill must be reported out of the committee of first referral by Friday of the 10th week of the first session and the 8th week of the second session and a committee sponsored bill must be reported out of the sponsoring committee by Friday of the 11th week of the first session and the 9th week of the second session. To be placed on the calendar in the other house, an individually sponsored bill must be reported out of the committee of first referral by Friday of the 13th week of the first session and the 11th week of the second session and a committee sponsored bill must be reported out of the committee of first referral by Friday of the 14th week of the first session and the 12th week of the second session.

3. During the 12th week of the first session and the 10th week of the second session, each house shall consider only bills originating in that house and unfinished business. During the 15th week of the first session and the 13th week of the second session, each house shall consider only bills originating in the other house and unfinished business. Beginning with the 16th week of the first session and the 14th week of the second session, each house shall consider only bills passed by both houses, bills exempt from subsection 2 and unfinished business.

4. A motion to reconsider filed and not disposed of on an action taken on a bill or resolution which is subject to a deadline under this rule may be called up at any time before or after the day of the deadline by the person filing the motion or after the deadline by the majority floor leader, notwithstanding any other rule to the contrary."

Harbor of Mills asked and received unanimous consent to defer action on amendment H—3007.

Schroeder of Pottawattamie offered the following amendment H—3010 filed by him and Doderer of Johnson from the floor and moved its adoption:

H—3010

Amend House Concurrent Resolution 2 as follows:
1. Page 3, by striking lines 24 through 26, and inserting in lieu thereof the following: "amended on the floor of either house except for nonsubstantive corrections."

Amendment H—3010 was adopted.

Speaker Avenson in the chair at 3:16 p.m.

The House resumed consideration of amendment H—3007.

Harbor of Mills offered the following amendment H—3011, to amendment H—3007, filed by him from the floor and moved its adoption:

H—3011

Amend amendment H—3007 to House Concurrent Resolution 2 as follows:
1. Page 1, by striking lines 2 through 16 and inserting in lieu thereof the following:
"1. By striking page 11, line 24 through page 12, line 12, and inserting in lieu thereof the following:"

Amendment H—3011 was adopted.

Harbor of Mills moved the adoption of amendment H—3007, as amended.

A non-record roll call was requested.

The ayes were 40, nays 53.

Amendment H—3007, as amended, lost.

Fey of Scott moved the adoption of the resolution, as amended.

A non-record roll call was requested.

The ayes were 96, nays none.

The resolution, as amended, was adopted.

IMMEDIATE MESSAGE
(House Concurrent Resolution 2)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolution 2 to the Senate.

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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON RULES AND ADMINISTRATION

A concurrent resolution, relating to joint rules of the house and senate in the seventieth general assembly.

Fiscal Note is not required.

Recommended **Do Pass.**

A concurrent resolution, relating to the compensation of chaplains, officers, and employees of the seventieth general assembly.

Fiscal Note is not required.

Recommended **Do Pass.**

On motion by Norland of Worth, the House adjourned at 3:48 p.m., until 9:00 a.m., Wednesday, January 12, 1983.

JOURNAL OF THE HOUSE

Third Calendar — Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 12, 1983

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

Prayer was offered by Monsignor Edward B. Pfeffer, pastor of the Sacred Heart Catholic Church, West Des Moines.

The Journal of Tuesday, January 11, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Paulin of Plymouth, for January 12, 13 and 14, 1983, on request of Carpenter 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 11, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 3, providing for the compensation of the officers and employees of the Seventieth General Assembly.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:12 a.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Norland of Worth asked and received unanimous consent to suspend House Rule 30 for the immediate consideration of House

Concurrent Resolution 3, relating to the compensation of chaplains, officers, and employees of the Seventieth General Assembly, recommended do pass by the committee on rules and administration on January 11, 1983.

Norland of Worth asked and received unanimous consent to suspend House Rule 36.8 relating to the filing of amendments.

SENATE CONCURRENT RESOLUTION 3 SUBSTITUTED FOR HOUSE CONCURRENT RESOLUTION 3

Norland of Worth asked and received unanimous consent to substitute Senate Concurrent Resolution 3 for House Concurrent Resolution 3. (See pages 2453 through 2462 for text of House Concurrent Resolution 3.)

ADOPTION OF SENATE CONCURRENT RESOLUTION 2

Lonergan of Boone asked and received unanimous consent for the immediate consideration of the following Senate Concurrent Resolution 2, a resolution relating to the appointment of a joint inaugural committee and moved its adoption:

SENATE CONCURRENT RESOLUTION 2
By Junkins

Be It Resolved by the Senate, the House Concurring:
That a joint committee be designated, consisting of six members of the senate to be appointed by the president of the Senate, and six members of the house to be appointed by the speaker of the house of representatives, to arrange for the inauguration of the governor and the 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: Lonergan of Boone, Black of Jasper, Norland of Worth, Anderson of Audubon, Schnekloth of Scott and Hanson of Delaware.

ADOPTION OF SENATE CONCURRENT RESOLUTION 3

Fey of Scott called up for consideration Senate Concurrent Resolution 3 as follows:

SENATE CONCURRENT RESOLUTION 3
By Committee on Rules and Administration

Whereas, section two point eleven (2.11) of the Code provides that "The compensation of chaplains, officers and employees of the general assembly shall be fixed by joint action of the house and senate by resolution at the opening of each session, or as soon thereafter as conveniently can be done.", *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the compensation for the following officers for the period commencing January 10, 1983 and ending January 14, 1985, shall be within the following ranges:

Secretary of the Senate and Chief Clerk of the House ..... $24,024 to $40,560

Assistant Secretary of the Senate, Parliamentarian and Assistant Chief Clerk of the House ..... $19,448 to $30,326

Within the indicated ranges the exact compensation shall be set or adjusted for the senate officers by the senate rules and administration committee and for the house officers by the house rules and administration committee. The committees shall report the exact compensation assigned to each position on the next legislative day, or, if such action is during the interim, on the first day the senate or house shall convene. Any action by the senate or house to disapprove or amend the report shall be effective the day after the action.

Be It Further Resolved, That the compensation of the employees of the seventieth general assembly is set, effective from January 10, 1983, until January 14, 1985, in accordance with the following salary schedule:

Page 2

	#7	#8	#9	#10	#11
	$8,403.20	$8,798.40	$9,152.00	$9,588.80	$10,046.40
	4.04	4.23	4.40	4.61	4.83

	#12	#13	#14	#15	#16
	$10,483.20	$10,982.40	$11,481.60	$11,960.00	$12,480.00
	5.04	5.28	5.52	5.75	6.00
	#17	#18	#19	#20	#21
	$13,000.00	$13,561.60	$14,164.80	$14,851.20	$15,641.60
	6.25	6.52	6.81	7.14	7.52
	#22	#23	#24	#25	#26
	$16,452.80	$17,201.60	$17,929.60	$18,699.20	$19,448.00
	7.91	8.27	8.62	8.99	9.35
	#27	#28	#29	#30	#31
	$20,321.60	$21,216.00	$22,089.60	$22,963.20	$24,024.00
	9.77	10.20	10.62	11.04	11.55
	#32	#33	#34	#35	#36
	$25,084.80	$26,332.80	$27,601.60	$28,912.00	$30,326.40
	12.06	12.66	13.27	13.90	14.58
	#37	#38	#39	#40	#41
	$31,782.40	$33,342.40	$35,006.40	$36,774.40	$38,563.20
	15.28	16.03	16.83	17.68	18.54

In this schedule, each numbered block shall be the yearly and hourly compensation for the pay grade of the number heading the block. Within each grade there shall be six steps numbered "1" through "6". In the above schedule the steps for all grades are determined in the following manner. Each numbered block is counted as the "1" step for that grade. The next higher block is counted as the "2" step; the next higher block

Page 3

is the "3" step; the next higher block is the "4" step; the next higher block is the "5" step; the next higher block is the "6" step.

All employees, other than those designated "part-time" shall be compensated for 40 hours of work in a one-week pay period. Except for the personnel designated to the contrary in this resolution, employees who are required to work in excess of 40 hours in a one-week pay period shall either be compensated at a rate of pay equal to one and one-half times the hourly pay provided in this resolution or allowed compensatory time off at a rate of one and one-half hours for each hour of overtime.

The following personnel shall not be paid an overtime premium:

Secretary of the Senate
Chief Clerk of the House
Senate Parliamentarian
Assistant Secretary of the Senate

Assistant Chief Clerk of the House
Senate Legal Counsel
House Legal Counsel
Finance Officer
All Administrative Assistants
All Research Analysts
All Secretaries to Senators and Representatives
Public Information Office Director
All Caucus Staff Directors

All employees shall be available to work daily until completion of the senate's and house of representatives' business. The secretary of the senate and chief clerk of the house shall schedule all employees' working hours to, as far as possible, maintain regular working hours.

Be It Further Resolved, That in the event the salary schedule for employees of the State of Iowa as promulgated by the merit employment commission pursuant to section nineteen

Page 4

A point nine (19A.9), subsection two (2), Code 1983, is revised upward at any time during the seventieth general assembly, such revised schedule shall simultaneously be adopted for the compensation of the employees of the seventieth general assembly assigned a grade by this resolution. The pay ranges of those positions specifically listed on page one of this resolution shall be automatically adjusted to reflect any cost of living increases granted to those employees not included in the collective bargaining agreement made final under Chapter Twenty (20) of the Code.

Be It Further Resolved, That the employees of the seventieth general assembly be placed in the following pay grades:

EMPLOYEES OF THE HOUSE

Legal Counsel II ..... Grade 33
Legal Counsel I ..... Grade 29
Executive Secretary to Speaker ..... Grade 23
Caucus Staff Director and/or
Leader's Administrative Assistant ..... Grade 26 to Grade 31
Research Analyst ..... Grade 24 to Grade 28
Executive Secretary to Chief Clerk ..... Grade 23
Clerk to Chief Clerk ..... Grade 15
Supervisor of Secretaries ..... Grade 20
Journal Editor ..... Grade 22 to Grade 24
Assistant Journal Editor ..... Grade 18 to Grade 20
Compositor ..... Grade 16 to Grade 18
Finance Officer ..... Grade 22 to Grade 27
Assistant Finance Officer ..... Grade 17 to Grade 20
Recording Clerk ..... Grade 20
Assistant Legal Counsel ..... Grade 23
Assistant to the Legal Counsel and
Engrossing/Enrolling Clerk ..... Grade 21

Assistant to the Legal Counsel ..... Grade 21
Caucus Secretary I ..... Grade 13
Caucus Secretary II ..... Grade 15

Page 5

Chief Indexer ..... Grade 19
Indexing Assistant ..... Grade 17
Supply Clerk ..... Grade 15
Swing Clerk ..... Grade 15
Switchboard Operator ..... Grade 13
Secretary I ..... Grade 13
Secretary II ..... Grade 15
Administrative Assistant I ..... Grade 13
Administrative Assistant II ..... Grade 15
Bill Clerk ..... Grade 13
Assistant Bill Clerk ..... Grade 12
File Clerk ..... Grade 8 or minimum wage, whichever is greater
Postmaster ..... Grade 10
Sergeant-at-Arms ..... Grade 15
Assistant Sergeant-at-Arms ..... Grade 13
Doorkeepers ..... Grade 9
Elevator Operator ..... Grade 8 or minimum wage, whichever is greater
Porter ..... Grade 8 or minimum wage, whichever is greater
Cloakroom Attendant ..... Grade 8 or minimum wage, whichever is greater
Pages ..... Minimum Wage
Aide to the Chief Clerk ..... $4.00/hr.

EMPLOYEES OF THE SENATE

Legal Counsel II ..... Grade 33
Legal Counsel I ..... Grade 29
Caucus Staff Director and/or
Leader's Administrative Assistant ..... Grade 26 to Grade 31
Research Analyst ..... Grade 24 to Grade 28
Executive Secretary to the Secretary ..... Grade 24
Secretary to the Secretary of the Senate ..... Grade 20
Journal Editor ..... Grade 22 to Grade 24
Assistant Journal Editor ..... Grade 18 to Grade 20
Compositor ..... Grade 16 to Grade 18
Assistant Legal Counsel ..... Grade 23
Assistant to the Legal Counsel ..... Grade 17

Page 6

Finance Officer ..... Grade 22 to Grade 27
Assistant Finance Officer ..... Grade 17 to Grade 20
Recording Clerk ..... Grade 20
Caucus Secretary I ..... Grade 13
Caucus Secretary II ..... Grade 15
Chief Indexer ..... Grade 19
Indexing Assistant ..... Grade 17

Records and Supply Clerk	Grade 19
Switchboard Operator	Grade 13
Secretary I	Grade 13
Secretary II	Grade 15
Administrative Assistant I	Grade 13
Administrative Assistant II	Grade 15
Bill Clerk	Grade 13
Assistant Bill Clerk	Grade 12
Postmaster	Grade 10
Sergeant-at-Arms	Grade 15
Assistant Sergeant-at-Arms	Grade 13
Chief Doorkeeper	Grade 10
Doorkeepers	Grade 9
Porter	Grade 8 or minimum wage, whichever is greater
Pages	Minimum Wage

Be It Further Resolved, That there shall be four classes of appointments as employees of the general assembly:

A "permanent full-time" or "permanent part-time" employee is one who is employed the year around and eligible to receive state benefits.

An "exempt full-time" employee is one who is employed for the period of the sessions with extensions post-session and pre-session as scheduled. This class is eligible to receive state benefits with the cost of benefits to the state to be paid by the employee when not on the payroll.

A "session-only" employee is one who is employed for only

Page 7

a portion of the year, usually the legislative session. This class is not eligible for state benefits, except IPERS.

A "part-time" employee is one who is employed to work less than 40 hours per week. This class is not eligible for state benefits, except IPERS if eligible.

Be It Further Resolved, That the exact grade for each position to which a range of grades is assigned by this resolution shall be set or changed for senate employees by the senate rules and administration committee and for the house employees by the house rules and administration committee. The committees shall base the assignment upon the following factors:

1. The extent of formal education required of the position; and,

2. The extent of the responsibilities to be assigned to the position; and,

3. The amount of supervision placed over the position; and,

4. The number of persons the position is assigned to supervise and skill and responsibilities of those positions supervised.

The committees shall report the exact grades assigned to each position on the next legislative day, or, if such action is during the interim, on the first day the senate or house shall convene. Any action by the senate or house to disapprove a report or a portion of a report shall be effective the day after the action.

Be It Further Resolved, That a senator or representative may employ a Secretary I or Secretary II who shall perform such clerical duties as the senator or representative shall designate under the administrative direction, as appropriate, of the secretary of the senate or the chief clerk of the house.

Each standing committee chairperson and each appropriations subcommittee chairperson shall designate a secretary of at

Page 8

least the Secretary II level to be the Secretary to the Committee. Such Secretary shall prepare committee minutes, committee reports, type committee correspondence, maintain committee records, and otherwise assist the committee. Such duties shall be performed in accordance with standards which shall be provided by the secretary of the senate and chief clerk of the house. The chairperson of a senate committee may designate any Secretary II to be the committee secretary. The chairperson of a house committee may designate any Secretary II to be the committee secretary. In making the designation, chairpersons shall consider persons for possible designation as the secretary to the committee in the following order:

First: The secretary to the chairperson.

Second: The secretary to the committee's vice-chairperson.

Third: The secretary to any other member of the committee.

Fourth: The secretary to any other member in the same house as the committee.

A Secretary II is a person who has been certified by Merit Employment as having passed a typing performance examination of at least 40 words per minute, and a stenographic performance examination of 80 words per minute using either manual or machine dictation which will be transcribed with 80% accuracy.

A Secretary I is a person who in the judgment of the senator or representative employing such person possesses the necessary skills to perform the duties such senator or representative shall designate.

Be It Further Resolved, That as an alternative to each senator and representative having a secretary, senators and representatives may hire an administrative assistant I or II as provided by this paragraph. Senators and representatives may employ an assistant only if two or more senators or two or more representatives or two or more senators and representatives agree to jointly employ a secretary or secretaries and the assistant in a total number not greater

Page 9

than the senators and representatives participating in the joint hiring. Without an agreement between the hiring senators or representatives to the contrary, the secretary or secretaries and the assistant shall each devote their time equally to each of the persons for whom they work.

An Administrative Assistant II is a person who has participated in two years of education beyond high school or the equivalent experience, demonstrates a comprehensive knowledge of the legislative process and the capability of properly using the English language in research papers.

An Administrative Assistant I is a person who in the judgment of the senators or representatives employing such person, possesses the necessary skills to perform the duties such senators or representatives shall designate.

Be It Further Resolved, That a Legal Counsel II shall be a person who has graduated from an accredited school of law and is admitted to practice in Iowa as an Attorney and Counselor at Law and possesses either a Masters of Law degree or has at least two years of legal experience after admission to practice.

A Legal Counsel I shall be a person who has graduated from an accredited school of law and is admitted to practice in Iowa as an Attorney and Counselor at Law.

Be It Further Resolved, That part-time employees shall be compensated at the scheduled hourly rate for their pay grade and step. While assisting interim committees they shall be compensated at the scheduled hourly rate in grade 16.

Be It Further Resolved, That employees of the general assembly shall be eligible for mobility within pay steps -- at the discretion of the chief clerk of the house and the secretary of the senate, and subject to the approval of the house committee on rules and administration or the senate committee on rules and administration, as the case may be -- in accord with the following schedule:

(1) Progression from step "1" to "2" -- six months of

Page 10

actual employment.

(2) Progression from step "2" to "3", and step "3" to "4", and step "4" to "5" -- twelve months of actual employment.

(3) Progression from step "5" to "6" -- twenty-four months of actual employment.

Be It Further Resolved, that in addition to the steps provided in the preceding paragraph, that secretaries to senators and representatives shall be eligible for additional steps as provided in this paragraph. At the discretion of the secretary of the senate and chief clerk of the house and subject to the approval of the senate committee on rules and

administration or the house committee on rules and administration, as appropriate, secretaries may be granted additional steps in accord with the following schedule:

1. One additional step for a secretary to a standing committee, ethics committee or appropriations subcommittee chairperson who is not the designated committee secretary.

2. One additional step for a secretary to a vice-chairperson or ranking member of a standing committee.

3. Two additional steps for a designated secretary to a standing or ethics committee or appropriations subcommittee or assistant floor leader or speaker pro tempore or president pro tempore, or secretary to the majority or minority caucus staffs and one additional step for each such position held beyond the first position.

4. Three additional steps for a secretary to a majority or minority floor leader. Except as provided in subparagraph three (3), steps may be granted only under one of the subparagraphs and only once within each subparagraph and shall not exceed three steps when combined.

5. Two additional steps shall be granted to a secretary to the majority or minority caucus staffs or to a majority or minority floor leader who is designated full-time. These steps are to be granted in addition to the steps in the above subparagraphs.

Page 11

Be It Further Resolved, That the entrance salary for employees of the general assembly shall be at step 1 in the grade of the position held. Such employee may be hired above the entrance step if possessing outstanding and unusual experience for the position, provided that the entrance is not beyond step 3. Such employee who is hired above the entrance step shall be mobile above that step in the same period of time as other employees in that same step. An officer or employee who is moved to another position may be considered for partial or full credit for their experience in the former position in determining the step in the new grade.

The entry level for the position of research analyst shall be grade 24, step 1, unless extraordinary conditions justify increasing that entry level; however, that entry level may not be increased beyond grade 26, step 1. A research analyst must have shown knowledge of legislative rules and procedures as well as the Code of Iowa to be considered at any grade above a grade 24, step 1.

Be It Further Resolved, That a pay increase for employees of one step within the pay grade for the position may be made for exceptionally meritorious service in addition to step increases provided for in this resolution, upon recommendation of the secretary of the senate or chief clerk of the house

and the approval of the senate committee on rules and administration or the house committee on rules and administration. Exceptionally meritorious service pay increases shall be governed by the following:

a. The employee must have served in the position for at least twelve months;

b. Written justification, setting forth in detail the nature of the exceptionally meritorious service rendered, must be submitted to the senate rules and administration committee or house rules and administration committee and approved in advance of granting the pay increase;

Page 12

c. No more than one exceptionally meritorious service pay increase may be granted in any twelve month period.

Be It Further Resolved, That the secretary of the senate and chief clerk of the house shall receive applications for employment, arrange for any necessary examinations, contact references and make recommendations for hiring. The senate rules and administration committee and the house rules and administration committee shall both hire officers and employees for their respective bodies and fill any vacancies which may occur, to be effective at such time as they shall set. The committee shall report the names of those it has hired for the positions specified in this resolution or the filling of any vacancies on the next legislative day or, if such action is during the interim, on the first day the senate or house shall convene. Any action by the senate or house to amend or disapprove a report or a portion of a report shall be effective the day after the action.

The chief clerk of the house shall submit to the house committee on rules and administration and the secretary of the senate shall submit to the senate committee on rules and administration the list of names, or amendments thereto, of employee classifications and recommended pay step for each officer and employee. Such list shall include recommendations for the pay step for all employees. Each respective committee shall approve or amend the list of recommended classifications and pay steps and publish said list in the journal. The secretary of the senate and the chief clerk of the house shall set the period of employment of intermittent employees under such direction as the senate rules and administration committee and the house rules and administration committee may provide.

Be It Further Resolved, That permanent employees of the general assembly shall receive vacation allowances, sick leave, health and accident insurance, life insurance, and disability income insurance as are provided for full-time permanent state employees. The computations shall be

Page 13

maintained by the finance officers in each house and coordinated with the state comptroller.

Be It Further Resolved, That should any employee have a grievance concerning their compensation, hours of work, performance of work, or other matter, the grievance shall be resolved as provided in this paragraph or by procedures determined by the senate rules and administration committee or the house rules and administration committee.

The grievance shall first be brought to the attention of the secretary of the senate or chief clerk of the house. The procedure may be informal and oral except that the secretary or chief clerk shall give his or her final conclusion in writing.

An employee may appeal in writing an adverse ruling of the secretary or chief clerk to the Senate Rules and Administration Committee or the House Rules and Administration Committee which shall consider the grievance. The committee's consideration shall be informal except that accurate minutes shall be kept and the final conclusion shall be in writing.

Any employee having a grievance shall have access to all relevant house or senate records, may have the assistance of counsel, and, if the grievance involves a disciplinary action, shall have a written statement of the grounds for the disciplinary action.

Be It Further Resolved, That the compensation of chaplains officiating at the opening of the daily sessions of the house of representatives and the senate of the seventieth general assembly be fixed at ten (10) dollars for each house of the general assembly, and that mileage for chaplains be fixed at the rate of twenty (20) cents per mile to and from the State Capitol. The secretary to the senator or representative who is the chairman of the chaplain's committee shall be granted one pay step in addition to the step for which that secretary is otherwise qualified.

Harbor of Mills offered the following amendment H—3012 filed by Harbor, Mullins, Carpenter, Welden, Branstad, Stromer, Schroeder, Bennett and Halvorson of Clayton from the floor:

H—3012

Amend Senate Concurrent Resolution 3 as follows:

1. Page 1 by striking lines 11 through 18 and inserting in lieu thereof the following:

"Secretary of the Senate and Chief
Clerk of the House ..... $24,024 to $30,326
Assistant Secretary of the Senate, Parliamentarian and Assistant Chief
Clerk of the House ..... $20,322 to $25,085

Within the indicated ranges the exact compensation shall be set or adjusted for the senate officers by the senate rules and administration committee and for the house officers by the house rules and administration committee except that no one occupying any of the above positions upon or subsequent to adoption of this resolution shall receive less than they were receiving prior to adoption of this resolution. The committees".

Arnould of Scott in the chair at 1:51 p.m.

Speaker Avenson in the chair at 2:22 p.m.

Harbor of Mills moved the adoption of amendment H—3012.

Roll call was requested by Harbor of Mills and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3012 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan

Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 3:

Hughes	Paulin	Peick

Amendment H—3012 lost.

Stromer of Hancock moved that action on Senate Concurrent Resolution 3 be deferred.

A non-record roll call was requested.

The ayes were 38, nays 59.

The motion lost.

Schroeder of Pottawattamie offered the following amendment H—3013 filed by him from the floor and moved its adoption:

H—3013

Amend Senate Concurrent Resolution 3 as follows:
1. Page 4, line 34, by striking the numeral "13" and inserting in lieu thereof the numeral "15".
2. Page 4, line 35, by striking the numeral "15" and inserting in lieu thereof the numeral "17".
3. Page 6, line 4, by striking the numeral "13" and inserting in lieu thereof the numeral "15".
4. Page 6, line 5, by striking the numeral "15" and inserting in lieu thereof the numeral "17".
5. Page 10, by striking lines 31 through 35.

A non-record roll call was requested.

The ayes were 37, nays 58.

Amendment H—3013 lost.

Hummel of Benton offered the following amendment H—3015 filed by him from the floor and moved its adoption:

H—3015

Amend Senate Concurrent Resolution 3 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 31, by striking the word "steps" and inserting in lieu thereof the words "salary grades".

2. Page 2, line 32, by striking the word "steps" and inserting in lieu thereof the words "salary grades".

3. Page 2, line 34, by striking the word "step" and inserting in lieu thereof the words "salary grade".

4. Page 2, line 35, by striking the word "step" and inserting in lieu thereof the word "grade".

5. Page 3, by striking line 1, and inserting in lieu thereof the words and figures "is the "3" salary grade; the next higher block is the "4" salary grade; the".

6. Page 3, line 2, by striking the word "step" and inserting in lieu thereof the words "salary grade".

7. Page 3, line 3, by striking the word "step" and inserting in lieu thereof the words "salary grade".

8. Page 3, by striking lines 33 through 35.

9. Page 4, by striking lines 1 through 10.

10. Page 7, line 8, by striking the words "or changed".

11. Page 7, by striking lines 23 through 25 and inserting in lieu thereof the words "each position. Any action by the senate or house to disapprove".

12. page 9, by striking lines 28 through 35.

13. Page 10, by striking lines 1 through 7 and inserting in lieu thereof the words "*Be It Further Resolved*, That secretaries to".

14. Page 10, line 9, by striking the word "steps" and inserting in lieu thereof the words "salary grades".

15. Page 10, line 14, by striking the word "steps" and inserting in lieu thereof the words "salary grades".

16. Page 10, line 15, by striking the word "step" and inserting in lieu thereof the words "salary grades".

17. Page 10, line 18, by striking the word "step" and inserting in lieu thereof the words "salary grades".

18. Page 10, line 20, by striking the word "steps" and inserting in lieu thereof the words "salary grades".

19. Page 10, line 24, by striking the word "step" and inserting in lieu thereof the words "salary grade".

20. Page 10, line 26, by striking the word "steps" and inserting in lieu thereof the words "salary

Page 2

grades".

21. Page 10, line 28, by striking the word "steps" and inserting in lieu thereof the words "additional salary grades".

22. Page 10, line 31, by striking the word "steps" and inserting in lieu thereof the words "salary grades".

23. Page 10, by striking line 34 and inserting in lieu thereof the words "salary grades are to be granted in addition to the salary grades in the above".

24. Page 11, lines 2 and 3, by striking the words and figure "step 1 in the grade" and inserting in lieu thereof the words "the grade indicated".

25. Page 11, by striking lines 6 through 8 and inserting in lieu thereof the words and figure "not beyond grade 3. An".

26. Page 11, by striking lines 15 and 16 and inserting in lieu thereof the words "increasing that entry level. A research analyst".

27. Page 11, by striking lines 20 through 35.

28. Page 12, by striking lines 1 and 2.

29. Page 12, line 22, by striking the word "step" and inserting in lieu thereof the word "grades".

30. Page 12, by striking lines 23 and 24 and inserting in lieu thereof the words "officer and employee. Each respective committee".

31. Page 12, line 26, by striking the word "steps" and inserting in lieu thereof the word "grades".

Roll call was requested by Pellett of Cass and Schnekloth of Scott.

On the question "Shall amendment H—3015 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 3:

Hughes	Muhlbauer	Paulin

Amendment H—3015 lost.

Schroeder of Pottawattamie offered the following amendment H—3016 filed by him from the floor and moved its adoption:

H—3016

Amend Senate Concurrent Resolution 3 as follows:
1. Page 4, line 6, by striking the words "on page one of" and inserting in lieu thereof the word "in".

A non-record roll call was requested.

The ayes were 36, nays 54.

Amendment H—3016 lost.

Halvorson of Webster in the chair at 3:32 p.m.

PRESENTATION OF VISITOR

Fogarty of Palo Alto presented to the House the Honorable Robert Krause, former member of the House representing Kossuth County.

Speaker Avenson in the chair at 3:45 p.m.

Connors of Polk moved the adoption of Senate Concurrent Resolution 3.

Roll call was requested by Schnekloth of Scott and Harbor of Mills.

On the question "Shall the resolution be adopted?" (SCR 3)

The ayes were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

Absent or not voting, 3:

Hughes	Muhlbauer	Paulin

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(Senate Concurrent Resolution 3)

Connors of Polk asked for unanimous consent to immediately message Senate Concurrent Resolution 3 to the Senate.

Objection was raised.

Connors of Polk moved to immediately message Senate Concurrent Resolution 3 to the Senate.

A non-record roll call was requested.

The ayes were 58, nays 37.

The motion prevailed and Senate Concurrent Resolution 3 was immediately messaged to the Senate.

IMMEDIATE MESSAGE
(Senate Concurrent Resolution 2)

Norland of Worth asked and received unanimous consent to immediately message Senate Concurrent Resolution 2 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 January 12, 1983, amended and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 2, providing for the joint rules of the Seventieth General Assembly.

K. MARIE THAYER, Secretary

SENATE AMENDMENT CONSIDERED

Norland of Worth asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 2,** a concurrent resolution relating to the joint rules of the Seventieth General Assembly, amended by the Senate amendment H—3014 as follows:

H—3014

Amend House Concurrent Resolution 2 as amended, passed and reprinted by the House as follows:

1. Page 3, by striking lines 24 and 25 and inserting in lieu thereof the following: "amended

on the floor of either house except pursuant to corrective or nonsubstantive amendments filed by the judiciary committee of the house or the senate."

2. Page 6, by striking lines 14 through 17 and inserting in lieu thereof the following: "presiding officer of each house. The presiding officer of the house, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members. The presiding officer of the senate, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members.".

3. Page 10, line 32, by striking the words "both houses" and inserting in lieu thereof the words "each house".

4. Page 10, line 35, by striking the words "final disposition of".

5. Page 10, line 35, by striking the word "three" and inserting in lieu thereof the word "two".

Schroeder of Pottawattamie offered the following amendment H—3017, to the Senate amendment H—3014, filed by him from the floor and moved its adoption:

H—3017

Amend H—3014, the Senate amendment to House Concurrent Resolution 2 as follows:

1. By striking lines 3 through 7.

Amendment H—3017 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3018, to the Senate amendment H—3014, filed by him from the floor and moved its adoption:

H—3018

Amend H—3014, the Senate amendment to House Concurrent Resolution 2 as follows:

1. By striking lines 24 and 25.

Amendment H—3018 was adopted.

Harbor of Mills asked for unanimous consent to defer action on House Concurrent Resolution 2.

Objection was raised.

Harbor of Mills moved that action on House Concurrent Resolution 2 be deferred.

The motion prevailed and House Concurrent Resolution 2 was deferred.

(Senate amendment H—3014, as amended, pending.)

HOUSE CONCURRENT RESOLUTION 4
By Norland

Be It Resolved by the House of Representatives, the Senate Concurring, That a joint convention of the two houses of the Seventieth General Assembly be held on Wednesday, January 19, 1983, at 10:00 a.m.

Be It Further Resolved, That Chief Justice of the Supreme Court W. Ward Reynoldson be invited to present his message of the condition of the judicial department at this joint convention, and recommend such matters as the Chief Justice deems expedient, pursuant to section 684.22 of the Code.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 5
By Norland

Be It Resolved by the House of Representatives, the Senate Concurring, That a joint convention of the two houses of the Seventieth General Assembly be held on Friday, January 21, 1983, at 10:00 a.m.; and

Be It Further Resolved, That Governor Terry E. Branstad be invited to deliver his budget message at this joint convention of the two houses of the General Assembly, and that the Speaker of the House of Representatives and the President of the Senate be designated to deliver the invitation to him.

Laid over under Rule 30.

SPONSORS ADDED
(House File 5)

Mullins of Kossuth requested to be added as a sponsor of House File 5.

(House Files 5 and 16)

Hermann of Scott requested to be added as a sponsor of House Files 5 and 16.

(House File 10)

Jay of Appanoose requested to be added as a sponsor of House File 10.

(House File 13)

Mullins of Kossuth requested to be added as a sponsor of House File 13.

(House File 13)

We, the undersigned, requested to be added as sponsors of House File 13.

CONNORS of Polk
KREWSON of Polk
HOFFMANN-BRIGHT of Muscatine
LLOYD-JONES of Johnson
CARPENTER of Polk
CARL of Poweshiek
SWEARINGEN of Keokuk
TORRENCE of Muscatine
McKEAN of Jones
ARNOULD of Scott
HAVERLAND of Polk
PEICK of Linn

EMPLOYEES OF THE HOUSE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 3, duly adopted, your committee on rules and administration submits the following names of officers and employees of the House and their respective classification, grades and steps:

Acting Chief Clerk	Joseph J. O'Hern	$35,000.00	Annual Salary
Acting Assistant Chief Clerk	Elizabeth A. Isaacson	$30,326.00	Annual Salary

Position	Name	Grade and Step	Class of Appointment
Legal Counsel II	Dan Dudley	33-4	P-PT
Executive Secretary to Speaker	Catherine A. Sears	23-4	P-FT

Position	Name	Grade and Step	Class of Appointment
Leader's Administrative Assistant	Mark W. Brandsgard	27-4	P-FT
Leader's Administrative Assistant	Linda King Kading	27-4	P-FT
Leader's Administrative Assistant	Kevin S. Vinchattle	26-1	P-FT
Caucus Staff Director	Sharon R. Robinson	28-6	P-FT
Research Analyst	Elisabeth C. Buck	24-1	P-FT
Research Analyst	Joseph W. Chambers	24-1	P-FT
Research Analyst	Edward J. Conlow	24-1	P-FT
Research Analyst	Mary E. O'Connor	26-1	P-FT
Research Analyst	Thomas R. Patterson	26-1	P-FT
Research Analyst	Joseph J. Shannahan	24-1	P-FT
Research Analyst	Shirley M. Danskin-White	24-1	P-FT
Caucus Staff Director	Paula J. Feltner	31-6	P-FT
Research Analyst	N. John Boehm	26-2	P-FT
Research Analyst	Ronda Lou Menke	26-2	P-FT
Research Analyst	Benjamin S. Webb	26-1	P-FT
Research Analyst	Maryjo F. Welch	26-1	P-FT
Research Analyst	Barbara K. Winters	26-3	P-FT
Executive Secretary to Chief Clerk	Deanna J. Templeton	23-1	P-FT
Clerk to Chief Clerk	Susan Bruckshaw	15-1	S-O
Supervisor of Secretaries	Virginia A. Rowen	20-2	S-O
Assistant Journal Editor	Vivian M. Anders	19-4	P-FT
Assistant Journal Editor	Carol S. Edwards	19-4	P-FT
Compositor	C. Elaine Schoonover	17-2	P-FT
Finance Officer	Billie Jean Walling	26-6	P-FT
Assistant Finance Officer	Debra K. Olson	17-5	P-FT
Recording Clerk	Laurie Ward	20-1	S-O
Assistant Legal Counsel	M. Maxine Mann	23-6	P-FT
Assistant Legal Counsel	Christine K. Bishop	23-1	S-O
Assistant to the Legal Counsel & Engrossing/Enrolling Clerk	Peg E. Kephart	21-6	P-FT
Caucus Secretary I	Judith Miklus	13-1 + 2 + 2	P-FT
Caucus Secretary II	Colleen Dillon	15-5 + 2 + 2	P-FT
Chief Indexer	Juanita F. Swackhammer	19-6	P-FT
Indexing Assistant	Wilma F. Zika	17-4	P-FT
Supply Clerk	Joann Critelli	15-1	S-O
Switchboard Operator	Beverly Baker	13-1	S-O
Switchboard Operator	Virginia Semple	13-1	S-O
Bill Clerk	Phyllis J. Fraizer	13-5	S-O

Position	Name	Grade and Step	Class of Appointment
Assistant Bill Clerk	Madeline E. James	12-4	S-O
Postmaster	George Pendergraft	10-1	S-O
Sergeant-at-Arms	Roseanne McCargar	15-1	S-O
Assistant Sergeant-at-Arms	Jim Cunningham	13-1	S-O
Doorkeeper	Arthur Borwick	9-1	S-O
Doorkeeper	Frank Christen	9-4	S-O
Doorkeeper	Marvin Hollingshead	9-1	S-O
Doorkeeper	Anthony King	9-1	S-O
Doorkeeper	John Pigneri	9-1	S-O
Doorkeeper	Guy Risinger	9-1	S-O
Elevator Operator	Evelyn Seaney	8-3	S-O
Speaker's Page	Walter Cunningham, Jr.	$3.35 Per Hr.	S-O
Chief Clerk's Page	Ann Oldorf	$3.35 Per Hr.	S-O
Page	Shelley Andersen	$3.35 Per Hr.	S-O
Page	Deanne Backes	$3.35 Per Hr.	S-O
Page	Angela Banowetz	$3.35 Per Hr.	S-O
Page	Tammy Campbell	$3.35 Per Hr.	S-O
Page	Maria Davitt	$3.35 Per Hr.	S-O
Page	Michael Gaul	$3.35 Per Hr.	S-O
Page	Debra Graham	$3.35 Per Hr.	S-O
Page	Corinne Heetland	$3.35 Per Hr.	S-O
Page	Andrea Ingram	$3.35 Per Hr.	S-O
Page	Debra Jarr	$3.35 Per Hr.	S-O
Page	Gwen Johnson	$3.35 Per Hr.	S-O
Page	Christopher Markwood	$3.35 Per Hr.	S-O
Page	Cindy Messer	$3.35 Per Hr.	S-O
Page	Kari Jo Morse	$3.35 Per Hr.	S-O
Page	Rhonda Sawyer	$3.35 Per Hr.	S-O
Page	Tom Shima	$3.35 Per Hr.	S-O

Position	Name	Grade and Step	Class of Appointment
Page	Marilyn Stout	$3.35 Per Hr.	S-O
Secretary I	M. Kay Agnew	13-1 + 1	S-O
Secretary II	Joyce Anderson	15-1 + 1	S-O
Secretary II	Julie Anderson	15-4 + 1	S-O
Secretary I	Laurine Anderson	13-1 + 1	S-O
Secretary II	Norma Bakros	15-1 + 1	S-O
Secretary I	Linda Beatty	13-1 + 1	S-O
Secretary II	Kathleen Beckman	15-1 + 1	S-O
Secretary I	Faun S. Black	13-1 + 1	S-O
Secretary II	M. Anne Blobaum	15-1 + 2	S-O
Secretary II	Lugene Burns	15-5	S-O
Secretary II	Gretchen Cardamon	15-1 + 1	S-O
Secretary I	Mary Carr	13-1 + 1	S-O
Secretary I	Rosalie Clay	13-1 + 1	S-O
Secretary II	R. Jeannene Cochran	15-4 + 2	S-O
Secretary I	Daniel A. Combs	13-1	S-O
Secretary I	Frankie Compiano	13-1 + 1	S-O
Secretary I	Elsie Corey	13-1 + 1	S-O
Secretary II	Phyllis Cowles	15-4	S-O
Secretary II	Ruth Daggett	15-1 + 1	S-O
Secretary I	Clarretta De Groot	13-1 + 1	S-O
Secretary II	Joan R. Eggen	15-3	S-O
Secretary II	Mary Jo Eveleth	15-2 + 2	S-O
Secretary I	Pat Ewing	13-1 + 1	S-O
Secretary II	Rosemary Findlay	15-1 + 1	S-O
Administrative Assistant II	E. Jane Fowler	15-2	S-O
Secretary II	Audrey Gibson	15-2 + 2	S-O
Secretary I	Lucy S. Gomez-Fey	13-1 + 1	S-O
Secretary I	Jean Goudy	13-1 + 1	S-O
Secretary I	Barbara J. Grochala	13-1 + 1	S-O
Secretary I	Robert W. Halvorson	13-1 + 2	S-O
Secretary II	Joan M. Hansen	15-1	S-O
Secretary I	T. J. Hentges	13-1 + 1	S-O
Secretary II	Darlene J. Higginbottom	15-1 + 2 + 1	S-O
Secretary I	Vivian Hildebrand	13-1 + 1	S-O
Secretary II	Betty Hirschauer	15-1 + 1	S-O
Secretary II	Donna B. Hove	15-1 + 1	S-O
Secretary I	Linda Hughes	13-1 + 1	S-O
Secretary I	Edith M. Hutton	13-1 + 1	S-O
Secretary I	Tom Jackson	13-1 + 1	S-O
Secretary I	Jacqueline M. Kibbie	13-1 + 1	S-O
Secretary II	Joan A. Kiernan	15-1 + 1	S-O
Secretary I	Janis B. Kimple	13-1 + 1	S-O
Secretary I	Joan Koenigs	13-1 + 1	S-O
Secretary I	Sharon Kreps	13-1	S-O
Secretary I	Mark Lambert	13-1 + 1	S-O

Position	Name	Grade and Step	Class of Appointment
Secretary I	Maxine Lauritzen	13-1 + 1	S-O
Secretary II	Gay P. Leverich	15-2 + 1	S-O
Secretary II	Anita Lindstrom	15-1 + 2	S-O
Secretary I	Linda Livermore	13-1 + 1	S-O
Secretary II	Dona Lloyd	15-3 + 2	S-O
Secretary I	Jean T. Lodwick	13-1 + 2	S-O
Secretary I	Mary Ellen Maulsby	13-1 + 1	S-O
Secretary I	Dorothy Mauro	13-1 + 1	S-O
Secretary II	Nancy D. McCarthy	15-1 + 2	S-O
Administrative Assistant II	Edwin N. McClure	15-1	S-O
Secretary I	Jeanne McIntee	13-1	S-O
Secretary I	Betty Millen	13-3 + 1	S-O
Secretary I	Phyllis Muhlbauer	13-1 + 1	S-O
Secretary I	Delores Mulvihill	13-1 + 1	S-O
Secretary I	Meredith Myers	13-1 + 1	S-O
Secretary II	Anita O'Gara	15-1 + 2	S-O
Secretary I	Lu Ann Olson	13-1 + 1	S-O
Secretary I	Tamara Paulin	13-1	S-O
Secretary II	Halleen Pellett	15-3 + 1	S-O
Secretary II	Kathleen L. Peterson	15-2 + 3 + 2	E-FT
Secretary I	Mike Peterson	13-1 + 1	S-O
Secretary I	Naomi Poncy	13-1 + 1	S-O
Secretary II	Dorothy Potthoff	15-4 + 1	S-O
Secretary II	JoAnn Quade	13-1 + 1	S-O
Secretary I	Marilyn Rensink	13-1	S-O
Secretary II	Mary A. Rhoads	15-1 + 1	S-O
Secretary II	Sally Rhoads	15-1	S-O
Secretary II	Giovanna Ries	15-1 + 1	S-O
Secretary I	Suzanne Robinson	13-1 + 1	S-O
Secretary I	Barbara Roman	13-1 + 1	S-O
Secretary II	LaVena Rucker	15-4 + 1	S-O
Secretary II	Betty Ann Rutan	15-1	S-O
Secretary II	Suzanne Schenken	15-1 + 2	S-O
Secretary II	Mildred Schnekloth	15-1 + 1	S-O
Secretary II	Mary Ann Scott	15-4 + 2	S-O
Secretary I	Elizabeth L. Seiser	13-1 + 1	S-O
Secretary II	Charlotte Snyder	15-1	S-O
Secretary I	Connie Sorgdrager	13-1	S-O
Secretary II	Harriet Stromer	15-4 + 3	S-O
Secretary I	Teresa M. Sturm	13-1 + 2	S-O
Secretary I	Dureen Tabor	13-1 + 1	S-O
Administrative Assistant II	Lisandro Thorpe	15-1	S-O
Secretary II	Charlotte Turner	15-1 + 1	S-O
Secretary I	Betty Van Gerpen	13-1	S-O
Secretary I	Luella Van Maanen	13-1 + 1	S-O
Secretary I	Charlene Warren	13-1 + 2	S-O
Secretary II	Barbara Wennerstrum	15-2 + 1	S-O

Position	Name	Grade and Step	Class of Appointment
Secretary II	Betty Wentz	15-3 + 2	S-O
Secretary II	Jo Ann West	15-2 + 2	S-O
Secretary I	Carl Wiederaenders	13-1 + 2	S-O
Secretary II	Judy J. Wilson	15-1	S-O
Secretary I	Kathleen Woods	13-1 + 1	S-O
Secretary I	Joy Yacavona	13-1 + 1	S-O
Secretary I	Marilyn J. Zagnoli	13-2 + 1	S-O

FEY of Scott, Chair

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 1 Small Business and Commerce

Relating to the creation of a health data commission.

S.B. 2 Local Government

Providing for state payment of the expenses of immediately taking into custody and detaining an allegedly mentally ill person who has no county of legal settlement and who is not admitted or committed to a mental health hospital.

S.B. 3 Local Government

Relating to the terms of the membership of and the record of actions taken by a county compensation board.

S.B. 4 Local Government

Allowing cities to enforce ordinances requiring alternate side parking during periods of snow removal.

S.B. 5 Local Government

Providing for state payment of the cost of substance abuse treatment at certain facilities.

S.B. 6 Small Business and Commerce

To authorize a mortgage lender to collect a loan processing fee not

exceeding two percent of the principal on a new loan, or the lesser of actual processing costs or one percent of loan principal on a refinancing or assumption.

S.B. 7 Ways and Means

Relating to the functions of the State Board of Tax Review and the Department of Revenue.

S.B. 8 Ways and Means

Relating to penalties for violations of the motor vehicle fuel tax, state withholding tax, corporation income tax, sales tax, use tax, and additional property tax relief for elderly and disabled laws.

S.B. 9 Ways and Means

Relating to the inheritance tax.

S.B. 10 Ways and Means

Relating to taxes owed to the state.

S.B. 11 Ways and Means

Relating to the responsibility of persons for sales and use tax liability.

S.B. 12 Ways and Means

Relating to the apportionment of net income for purposes of the corporate income tax.

S.B. 13 Ways and Means

Relating to revision of the computation of the out-of-state tax credit for resident taxpayers earning income outside Iowa.

S.B. 14 Ways and Means

Relating to the real estate transfer tax.

S.B. 15 Ways and Means

Relating to the establishment of a central assessment valuation fund.

S.B. 16 Ways and Means

Relating to the confidentiality of claims of property tax credits and rent reimbursements.

S.B. 17 Ways and Means

Relating to the taxation of mobile homes.

S.B. 18 Ways and Means

To permit certain enumerated individuals to file a claim for property tax credit on behalf of a deceased homeowner.

S.B. 19 Ways and Means

Relating to the removal of the sales tax permit fee.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF SOCIAL SERVICES

A proposed plan for the utilization of federal social services block grant funds as well as state and local funds used for these services, pursuant to Chapter 1262, Div. III, Sec. 6, Acts of the 1982 Session of the Sixty-ninth General Assembly.

The Adoption Purchase of Service Report, pursuant to Chapter 1260, Section 107 of the Acts of the 1982 Session of the Sixty-ninth General Assembly.

AMENDMENT FILED

H–3019 H.C.R. 2 Harbor of Mills

On motion by Norland of Worth, the House adjourned at 4:19 p.m., until 9:00 a.m., Thursday, January 13, 1983.

JOURNAL OF THE HOUSE

Fourth Calendar Day—Fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 13, 1983

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

Prayer was offered by the Reverend Harold Westra, pastor of the Wright Christian Reform Church, Kanawha.

The Journal of Wednesday, January 12, 1983 was approved.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 4

Norland of Worth asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 4, relating to a joint convention of the Seventieth General Assembly on January 19, 1983 for a message from Chief Justice Reynoldson, filed on January 12, 1983 and found on page 97 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 5

Norland of Worth asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 5, relating to a joint convention of the Seventieth General Assembly on January 21, 1983, for Governor Branstad's budget message, filed on January 12, 1983 and found on page 97 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES
(House Concurrent Resolutions 4 and 5)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolutions 4 and 5 to the Senate.

COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the State Comptroller on December 28, 1982 and is on file in the office of the Chief Clerk:

December 28, 1982

Mr. Joseph O'Hern, Acting Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Mr. O'Hern:

In accordance with Section 25A.12, Code of Iowa 1981, we are hereby submitting to the General Assembly all General Tort claims, Highway Tort claims, settlements and judgments paid during 1982 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,
RONALD F. MOSHER
State Comptroller

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Acting Chief Clerk of the House

CHAPTER 25A GENERAL TORT CLAIMS APPROVED BY STATE APPEAL BOARD, 1982

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-6176-69	Gladys Ellen Galer University of Iowa Pharmacy Dept. erred in filling claimants prescription giving her the wrong medication.	$ 10,000.00	$ 2,500.00
T-6725-69	Kathryn Rae Davis Medical expenses, loss of wages, discomfort and anxiety incurred from accident at the Old Capitol in Iowa City.	4,916.76	1,000.00
T-9729-69	John E. Miller Shirt was ruined by paint at Riverview Release Center.	15.00	15.00
T-9924-69	Keith Arthur Johnston Personal property lost by officials at the State Penitentiary.	290.00	290.00

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-10009-69	Tony Ross Baker Personal property missing from Iowa State Penitentiary.	150.00	75.00
T-10026-69	Elijah Mearl Lint TV stolen while in storage at Riverview Release Center.	108.00	108.00
T-10167-69	Ralph R. Elbert Injuries sustained when claimant fell through an eroded "sea wall" at Lake Okoboji.	45,000.00	500.00
T-10429-69	Kathryn Sue Snyder Damage to automobile from railroad tracks at Iowa State Fairgrounds.	448.02	150.00
T-10456-69	Linda Bushby Jeans ruined by acid from battery used to power an IPBN camera.	21.00	21.00
T-10539-69	Cindy JoAnne Kunc Jeans ruined by bleach while working at Iowa Veteran's Home.	30.00	20.00
T-10554-69	Larry W. Goetz, M.D. Vehicle damaged by a horse being used by State Fair Security Patrol.	389.72	380.45
T-10555-69	Michael Joe McCullough Boots lost while in custody of State Penitentiary officials.	69.95	69.95
T-10576-69	Connie J. Stevens for Alisa Ann Stevens, a minor Claimant's daughter injured on ramp of Administration Bldg. at Iowa State Fairgrounds.	379.11	179.11
T-10588-69	Margie M. Higgins Clothing damaged at Mt. Pleasant Mental Health Institute.	87.90	87.90
T-10610-69	Larry J. Moody Crop damage from National Guard helicopter.	932.40	932.40
T-10615-69	James D. Lavia Damage to boat trailer while in storage at Iowa State Fairgrounds.	120.00	120.00
T-10624-69	George William Walker Art work destroyed when a hot water line valve broke and flooded his office at the University of Iowa.	1,450.00	900.00
T-10625-69	Craig Allen Schultz Personal property lost while in custody of State Penitentiary officials.	1,710.05	1,710.05

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-10627-69	Jake Gmur Personal property lost while in custody of State Penitentiary officials.	350.00	250.00
T-10630-69	Christine Ann Jeffrey Payroll entered the wrong number of exemptions for withholding tax purposes resulting in claimant paying a penalty of $37.22	37.22	37.22
T-10633-69	Frank L. Grim Shirt damaged while restraining a patient at the Mt. Pleasant Mental Health Institute.	22.00	22.00
T-10639-69	Russell James Lucas Personal property lost when transferred from Anamosa to Ft. Madison.	19.81	19.81
T-10640-69	David Ross Hanson Crops damaged when cattle broke through a fence maintained by the Conservation Commission.	300.00	191.18
T-10652-69	Gregory Dean Ambrose Clothing lost between Men's Reformatory and Medium Security Unit at Mt. Pleasant.	27.88	27.88
T-10656-69	Kenneth Bruce Fausch Automobile damaged by cattle loose from Iowa State University.	3,500.00	2,038.82
T-10667-69	Robert Lee Kern Personal property lost by officials at the State Penitentiary.	31.00	31.00
T-10689-69	Richard Lynn Peterson Personal property lost by officials at Men's Reformatory at Anamosa.	34.90	34.90
T-10694-69	Daniel Adams Money stolen from file cabinet in counselor's office at Ames Halfway House.	146.00	146.00
T-10704-69	George Morris Money stolen from file cabinet in counselor's office at Ames Halfway House.	20.00	20.00
T-10715-69	Daniel Gene Flanders Fan missing after transferring from Anamosa to Ft. Madison.	17.50	17.50
T-10727-69	Aminah Sabir, aka Kathy Sallis Make-up mirror was broken while in possession of officials at Rockwell City.	20.00	20.00

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-006-70	T. Pauline Sampson Clothing ruined when tripped by telephone and electrical cords at DOT office in Ames.	110.00	75.00
T-023-70	Dave Munz Personal property lost at State Penitentiary.	380.00	100.00
TE-036-70	Rena A. Young Automobile damaged in accident with an employee at the Mental Health Institute.	500.00	300.00
T-061-70	Bob & Shelly Kaassen Medical expenses incurred when daughter fell into a pit latrine at North Twin Lakes State Park.	30.00	30.00
TE-080-70	Roger Lee Simon Personal property lost when in possession of officials at the State Penitentiary.	65.71	31.79
T-092-70	Russell J. Bullard Automobile damaged by snow removal equipment while parked in state parking lot.	495.08	495.08
T-094-70	Kenneth Lamonte Hartwell Personal property lost while in possession of officials at the State Penitentiary.	400.00	400.00
T-119-70	Bill Graham Radio lost by officials at Iowa State Penitentiary.	40.00	32.47
T-141-70	Warner S. Kelly 8-track tape broken by guard at State Penitentiary.	15.00	15.00
T-142-70	Lanedale J C Ettes Money missing from storage room at Women's Reformatory.	30.00	30.00
T-172-70	Johnson's Clothing Co. Valley West WOI-TV erroneously ran a commercial advertising a sale.	2,500.00	1,500.00
T-179-70	Kevin M. Steelman Blue jeans lost after being sent to laundry at the Correctional Treatment Unit at Clarinda.	12.00	12.00
T-180-70	Robert Fender Sweater lost after being sent to laundry at the Correctional Treatment Unit at Clarinda.	22.00	22.00

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-190-70	Anthony R. Brady Personal property lost when transferred from the Medium Security Unit at Mt. Pleasant to the State Penitentiary.	113.97	113.97
T-191-70	Jerry Dean Patterson Tennis shoes lost by staff at the Medium Security Unit at Mt. Pleasant.	24.00	24.00
T-193-70	Steve D. Sager Jeans lost after being sent to the laundry at the Correctional Treatment Unit at Clarinda.	14.00	14.00
T-194-70	Jim Kreucher Clothing lost after being sent to the laundry at the Correctional Treatment Unit at Clarinda.	38.00	20.00
T-195-70	Jim Damreau Clothing lost after being sent to the laundry at the Correctional Treatment Unit at Clarinda.	18.50	18.50
T-199-70	Louis O'Banion Clothing lost after being sent to the laundry at the Correctional Treatment Unit at Clarinda.	38.00	20.00
TE-246-70	The Mel Straub Corporation Automobile damaged when an employee closed an overhead door on the dock area at the Grimes State Office Building.	345.91	345.91
T-248-70	United States of America Audio-visual equipment damaged when steam pipe broke in their office in the Field House Armory at the University of Iowa.	499.90	499.90
T-283-70	Velda M. Harris Clothing damaged by spilt bleach at the Glenwood Hospital School.	93.00	36.00
T-290-70	Jerry Connolly 8-track tapes lost while in possession of State Penitentiary officials.	57.70	57.70
T-303-70	Hal H. Reed, Jr. Damage to boat trailer when being removed from storage at Iowa State Fairgrounds.	165.83	165.83
T-340-70	Perry Lynn Boulware Clothing lost when sent to the laundry at the Clarinda Mental Health Institute.	5.00	5.00

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-344-70	James L. Karasek Property lost and damaged while in storage at Clarinda Correctional Treatment Unit.	18.75	18.75
T-364-70	Jennie Robb TV lost while in storage at the Iowa Veteran's Home.	205.95	205.95
T-443-70	Floyd V. Conner Personal property lost while in possession of officials at the State Penitentiary.	891.00	891.00
T-446-70	Randall Eugene Ball Personal property destroyed by staff at the State Penitentiary.	960.00	960.00
T-451-70	Cheryll Iris Hayes Money lost from storage room at Rockwell City.	20.00	20.00
TE-476-70	Joseph Mark Litzkow Personal property lost when transferred from Luster Heights Camp to Anamosa.	71.00	71.00
T-537-70	Shealy A. Wiles Personal property lost while stored at the State Penitentiary.	138.59	138.59
T-546-70	Ruben E. Jones Personal property lost while in possession of State Penitentiary officials.	400.00	400.00
T-559-70	Ronald LeRoy Reimers, Jr. Gold wedding ring lost at Men's Reformatory at Anamosa.	Undetermined	175.00
T-624-70	Harold R. Whitmore Window broken in automobile by employee attempting to move car so maintenance work could be performed on the DOT maintenance garage parking lot.	70.02	70.02
TE-664-70	Palo Alto County Prisoner hung himself in county jail after being left unattended by a highway patrolman and a city police officer.	7,000.00	7,000.00

CHAPTER 25A HIGHWAY TORT CLAIMS APPROVED BY STATE APPEAL BOARD, 1982

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-644-68-T	Randy Lee Lauritson Windshield cracked by rock thrown from DOT mower.	$ 143.32	$ 136.73

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-647-68-T	Russell S. Geddes Automobile damaged by pothole.	75.56	75.56
H-1140-69-T	Donald C. Whitmore Trees were destroyed by runoff from maintenance yard next to the claimant's property. The DOT stored sand, salt, and calcium chloride in the Fayette County maintenance yard.	44,327.61	5,000.00
H-1200-69-T	Robert DeVries Cost of tiling to correct problems caused from Highway 9 project.	519.00	519.00
H-1220-69-T	Maryville Limited Partnership Field erosion and tile ruined due to a drainage diversion during construction of an interchange near Vinton, Iowa.	Undetermined	3,600.00
H-1227-69-T	Heabel Company, Inc. Property damage caused by water backup from drainage from I-380.	681.44	681.44
H-1243-69-T	Theodore Edward Dohrmann Soybeans destroyed from herbicide used by the DOT along right-of-way of I-35.	70.32	70.32
H-1250-69-T	Willard C. Latham Soybeans destroyed from herbicide used by the DOT along right-of-way of I-35.	234.60	234.60
H-1258-69-T	John S. Lowenberg Soybean crop damaged from herbicide used by the DOT along Highway 330.	583.08	450.00
H-003-70-T	Ephraim E. Miller Compressor unit damaged when DOT maintenance crew allowed a large limb to fall onto power lines.	210.00	210.00
H-004-70-T	Dubuque Packing Co. Trailer damaged when traveling through a construction area.	144.46	144.46
H-006-70-T	Lori Rykos Tire and wheel damaged by rock pushed out onto Highway 20 by a DOT edgerut machine.	138.69	138.69

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-035-70-T	Denniston & Partridge Co. Reimbursement for materials furnished to J. C. Construction Co., who was under contract with the DOT.	3,534.96	3,191.10
H-037-70-T	Henry Van Oort Car damaged when he struck a snow fence that rolled onto Highway 75.	152.59	152.59
H-038-70-T	Wilma L. Coulson Windshield was broken by cement thrown by DOT cleaning equipment.	159.65	159.65
H-047-70-T	Michael Allen Vavroch Tile standpipes were incorrectly hooked up when Highway 21 was regraded.	208.33	208.33
H-060-70-T	Larry Dale Shetterly Reimbursement of expense of cleaning car to remove road tar that had just been used on Highway 5.	80.00	80.00
H-061-70-T	Harold I. Elsberry Tar was splattered onto car when passing a DOT tar heating machine.	100.45	100.45
H-062-70-T	Francis Allen Park Payment for damages to automobile from pothole.	170.50	170.50
H-070-70-T	Joyce Eileen Price Car covered by road tar after passing through DOT road work area.	51.50	51.50
HE-079-70-T	John Duane Kropf Traffic recorder hose snapped damaging claimant's pickup.	107.00	107.00
H-089-70-T	Clifford Torberson Windshield broken by rocks scattered on Highway 3 from edge rutting operation.	Undetermined	200.86
H-091-70-T	Iowa-Illinois Gas & Electric Co. Cost to repair downed power line caused when a tree, cut down by a DOT crew, fell on power line.	238.63	238.63
H-094-70-T	Ralph Brown Road oil sprayed on car during patching work on Highway 2.	33.00	33.00

CHAPTER 25A — TORT CLAIMS
JUDGMENTS & SETTLEMENTS AT OR BEFORE TRIAL — 1982

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
T-6289-69	Fern O. Anderson Property Damage (Settlement)	$ 10,450.11	
T-6148-69	John W. (Jack) Boyer Property Damage	21,809.79	
T-6302-69	Ruth J. Countryman Property Damage	28,457.91	
T-6344-69	Everett Diers Property Damage	169,511.77	
T-10383-69	Harvera, Ltd. Property Damage	29,185.80	
T-6587-69	Max & Maizie Hollander Property Damage	58,166.04	
T-9873-69	Ronald K. Jannings Property Damage	23,843.90	
T-10016-69	Sylvester Kruse & Edward B. Kruse Property Damage	145,267.28	(Prairie Grain Settlement)
T-6401-69	Ron McCleary Property Damage	418,627.47	$245,000.00
T-10654-69	Joe Michael Property Damage	14,961.00	
TE-6509-68	Cletus Eugene Pacha Property Damage	111,674.18	
TE-10164-69	William M. Ross Property Damage	688,433.20	
T-6350-69	James L. Smith Property Damage	17,627.84	
T-6454-69	Ralph E. & Esther Stoops Property Damage	59,557.39	
T-6420-69	Carroll Unkrich Property Damage	18,654.53	
T-6393-69	Larry Unkrich Property Damage	41,336.28	
T-6458-69	Steven J. Unkrich Property Damage	26,072.44	
TE-9643-69	Daniel Bates Personal Injury (Settlement)	20,000.00	3,000.00

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
T-9911-69	John Berg Property Damage and Personal Injury (Settlement)	503,500.00	65,000.00
T-5480-68	Russell Allan Blacksmith Personal Injury (Settlement)	310,370.40	95,065.50
T-5508-68	Patricia Ann Breese Personal Injury (Settlement)	30,000.00	2,000.00
T-6037-69	Daniel Wilford Buege Wrongful Death (Settlement)	500,000.00	82,500.00
T-2992-67	Timothy Floyd Clites Personal Injury (Judgement)	3,000,000.00	866,442.34
T-6353-69	William Dickson & Bernice Dickson, Admin. of the Estate of Jeffrey A. Dickson Deceased, and William Dickson Individually Wrongful Death and Personal Injury (Settlement)	550,000.00	27,500.00
T-4899-68	Ronald L. Fagan Personal Injury (Settlement)	25,000.00	1,500.00
T-4402-68	John R. & Donna M. Hansen Personal Injury (Settlement)	80,000.00	2,000.00
T-6450-69	Darrel L. Johnson, Admin. of the Estate of Kathleen Johnson Personal Injury and Wrongful Death (Settlement)	275,000.00	45,000.00
T-5711-68	John P. Kissner Guardian & Conservator of Kathryn Kissner Personal Injury (Settlement)	Undetermined	135,000.00
T-10457-69	Geraldine McKinney Personal Injury (Settlement)	1,200,000.00	40,000.00
T-10204-69	Doug D. Oshlo Property Damages (Settlement)	2,000.00	700.00
TE-9637-69	Brian Peterson Personal Injury (Settlement)	20,000.00	4,000.00
TE-9639-69	Jerry Peterson Personal Injury (Settlement)	20,000.00	4,000.00

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
TE-9641-69	Nadine Peterson Personal Injury (Settlement)	20,000.00	4,000.00
T-6755-69	Helen Mae Preston Estate, Royal F. Preston, Executor Personal Injury (Settlement)	32,969.02	1,000.00
T-4967-68	Merle Ronald Sparks Property Damages (Settlement)	4,514.85	3,250.00
T-6676-69	Slayton Thompson Property Damages (Settlement)	1,032.90	100.00
T-4932-68	Union Insurance Co. Property Damages (Settlement)	6,000.00	3,250.00
T-4211-67 TE-4293-67	Robert Wilson Personal Injury (Settlement)	500,000.00 500,000.00	5,000.00
T-6837-69	Floyd V. Conner Property Damages (Settlement)	1,500.00	200.00
T-10139-69	Larry Frost Personal Injury (Settlement)	200,000.00	10,000.00
H-391-67-T	Edward A. Bean Personal Injury (Settlement)	1,250,000.00	20,000.00
H-646-68-T	Catherine Rose Botts & DeMar Ray Botts Property Damages and Personal Injury (Settlement)	351,700.00	2,000.00
H-460-67-T HE-2-67-T	Lucien Merritt Brittain Property Damages and Personal Injury (Settlement)	32,000.00 32,000.00	10,000.00
H-461-67-T HE-3-67-T	Orva Blaine Brittain Property Damages and Personal Injury	257,000.00 257,000.00	
H-386-67-T	Donald D. Brooks, Mary A. Brooks & Donald D. Brooks as Admin. of the Estate of Kelly Dean Brooks Personal Injury (Settlement)	250,000.00	45,000.00

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
H-653-68-T	Edith M. Carey, Admin. of the Estate of Angela Carey Wrongful Death (Settlement)	500,000.00	18,500.00
H-693-68-T	Donald R. Chinberg Personal Injury	10,200.00	
H-694-68-T	Gerald D. Nelson, Jr. Personal Injury	54,739.00	2,500.00
H-695-68-T	Lena Nelson Personal Injury (Settlement)	5,000.00	
H-861-69-T	Robert K. Craig & Kathryn E. Craig Property Damages (Settlement)	25,000.00	1,000.00
H-1049-69-T	Douglas Harpster Personal Injury and Property Damages (Settlement)	254,500.00	7,500.00
H-851-69-T	Darrell Johnson Property Damages (Settlement)	4,900.00	350.00
H-633-68-T	Karen Ledford,	50,000.00	
H-632-68-T	f/k/a Karen Coty Personal Injury (Settlement)	150,000.00	35,000.00
H-835-69-T	Hervey H. Lopez Personal Injury and Property Damages (Settlement)	101,252.00	17,500.00
H-833-69-T	Juan F. Lopez Personal Injury	200,000.00	
H-834-69-T	Juan F. Lopez, Exec. of the Armandina H. Lopez Estate Wrongful Death	739,315.05	
H-907-69-T	Franklin D. McClintock Property Damages (Settlement)	240.00	240.00
H-897-69-T	Gordon Moore, Norma Moore, Steven Moore, Estate of Ronald Moore Wrongful Death and Personal Injury (Settlement)	1,000,000.00	500.00
H-827-69-T	Ann Marie & James Charles Peterson as parents of Matthew Peterson Personal Injury (Settlement)	2,500.00	
H-825-69-T	Ann Marie Peterson Personal Injury	500,000.00	5,000.00
H-826-69-T	James Charles Peterson Personal Injury	50,000.00	
H-828-69-T	Matthew Peterson, a minor Personal Injury	2,500.00	

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
H-804-68-T	Robert David Sauser Personal Injury (Settlement)	150,000.00	10,000.00
H-914-69-T	LeRoy Sick Personal Injury (Settlement)	100,000.00	1,737.19
H-1219-69-T	Joseph Paul Tait Personal Injury (Settlement)	4,500,000.00	86,000.00
H-866-69-T	John E. Corran & Carol A. Hill Wrongful Death (Settlement)	95,000.00	28,000.00
H-888-69-T	Robert R. Rider Wrongful Death	750,000.00	
H-889-69-T	Robert R. Rider Personal Injury	2,500,000.00	50,000.00
H-891-69-T	Cindy Rider Personal Injury (Settlement)	2,500,000.00	
H-624-69-T	Estate of Therman Stevens, Jr. Wrongful Death, Personal Injury, and Property Damages (Settlement)	752,600.00	125,000.00

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on December 28, 1982 and is on file in the office of the Chief Clerk.

December 28, 1982

Mr. Joseph O'Hern, Acting Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Mr. O'Hern:

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

These include 38 claims of a general nature that have been denied by the State Appeal Board during the year 1982.

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.

JOSEPH O'HERN
Acting Chief Clerk of the House

OFFICE STATE COMPTROLLER

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
10082-69-25	William Cooper Newton, Iowa License fee refund.	Undetermined	Disapproved
10519-69-25	SDA Products, Inc. New York, New York Payment for a special commodities contract with the State of Iowa.	$ 69,375.00	Disapproved
184-70-25	St. Joseph Mercy Hospital Mason City, Iowa Title XIX.	161.75	Disapproved
192-70-25	Iowa Packaging Corp. Mason City, Iowa Iowa interstate fuel tax refund.	1,146.21	Disapproved
205-70-25	Craig S. Gerhart, M.D. Ankeny, Iowa Title XIX.	76.00	Disapproved
207-70-25	Linn County Auditor Cedar Rapids, Iowa Reimbursement for civil commitment costs.	829.75	Disapproved
208-70-25	Linn County Auditor Cedar Rapids, Iowa Reimbursement for civil commitment costs.	903.54	Disapproved
209-70-25	Linn County Auditor Cedar Rapids, Iowa Reimbursement for civil commitment costs.	708.05	Disapproved
228-70-25	Rudolph Tjaden Cedar Rapids, Iowa Refund for overpayment of truck license.	10.00	Disapproved

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
229-70-25	Allen Memorial Hospital Waterloo, Iowa Title XIX.	144.00	Disapproved
230-70-25	Allen Memorial Hospital Waterloo, Iowa Title XIX.	24.00	Disapproved
231-70-25	Allen Memorial Hospital Waterloo, Iowa Title XIX.	160.00	Disapproved
240-70-25	Linn County Auditor Cedar Rapids, Iowa Reimbursement for civil commitment costs.	1,355.12	Disapproved
241-70-25	Linn County Auditor Cedar Rapids, Iowa Reimbursement for civil commitment costs.	643.75	Disapproved
242-70-25	Linn County Auditor Cedar Rapids, Iowa Reimbursement for civil commitment costs.	1,069.73	Disapproved
259-70-25	Pathology Laboratory, P.C. Des Moines, Iowa Title XIX.	22.50	Disapproved
262-70-25	Robert L. Pitz Kellogg, Iowa Requests retroactive pay adjustment.	Undetermined	Disapproved
272-70-25	Robert E. Caldwell Dow City, Iowa Motor fuel tax refund.	676.00	Disapproved
274-70-25	Howard County, Iowa Cresco, Iowa Reimbursement for services provided to clients for the Department of Social Services during 1979, 1980, and 1981.	38,909.84	Disapproved
284-70-25	Allen Memorial Hospital Waterloo, Iowa Title XIX.	12.00	Disapproved
310-70-25	Tri-County Counseling Service Wilton, Iowa Title XIX.	467.48	Disapproved
312-70-25	Nebraska Clinicians Group Omaha, Nebraska Title XIX.	626.40	Disapproved

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
313-70-25	Allen Memorial Hospital Waterloo, Iowa Title XIX.	40.00	Disapproved
327-70-25	Allen Memorial Hospital Waterloo, Iowa Title XIX.	23.10	Disapproved
341-70-25	Bausch & Lomb, Inc. Cedar Rapids, Iowa Reimbursement for safety lenses sold to a Conservation Commission employee.	55.20	Disapproved
343-70-25	Allen Memorial Hospital Waterloo, Iowa Title XIX.	43.19	Disapproved
346-70-25	Mary L. Surender Griswold, Iowa License fee refund.	42.00	Disapproved
349-70-25	City of Lester Lester, Iowa Reimbursement for cost of holding a special city council meeting to discuss highway construction.	286.14	Disapproved
456-70-25	St. Joseph Comm. Hospital New Hampton, Iowa Title XIX.	799.85	Disapproved
457-70-25	St. Joseph Comm. Hospital New Hampton, Iowa Title XIX.	226.67	Disapproved
532-70-25	St. Joseph Comm. Hospital New Hampton, Iowa Title XIX.	811.80	Disapproved
541-70-25	William D. Eden Iowa City, Iowa Reimbursement for relocating a fence due to a DOT highway project.	619.99	Disapproved
547-70-25	Mason City Warehouse, Corp. Mason City, Iowa License refund.	Undetermined	Disapproved
554-70-25	Pioneer Acquisition Corp. Lafayette, Indiana Motor fuel tax refund.	5,581.10	Disapproved
568-70-25	Estling Trucking, Inc. Lamont, Iowa License fee refund.	473.24	Disapproved

Claim No.	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
599-70-25	North Memorial Medical Center Minneapolis, Minnesota Reimbursement for medical assistance provided to a client of the Department of Social Services.	14.75	Disapproved
629-70-25	Greene County Sheltered Workshop Activities Center Jefferson, Iowa Reimbursement for services provided to a Department of Social Services client.	1,758.40	Disapproved
662-70-25	Dennis M. O'Meara Chicago, Illinois Expense reimbursement.	85.33	Disapproved

On motion by Norland of Worth, the House was recessed at 9:08 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 26, by Doderer, a bill for an act relating to the use by a soil conservation district of financial incentives for soil conservation practices to provide incentives for no-till planting methods.

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

House File 27, by Mullins, a bill for an act to prohibit the dissemination of false statements regarding candidates for office or ballot issues and providing a civil penalty.

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

House File 28, by Arnould, a bill for an act relating to the obligations of employers in the event of plant closings, relocations, and work reductions, and providing a civil penalty.

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

House File 29, by Shoultz, a bill for an act requiring testing of newborn infants to prevent mental retardation.

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

House File 30, by Schroeder, a bill for an act creating a possessory lien on personal property in a self-service storage facility and establishing a method for enforcing the lien.

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

House File 31, by Skow, a bill for an act relating to health care benefits provided to corporate officers who voluntarily exclude themselves from coverage under section 85.61, subsection 3, paragraph d.

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

House File 32, 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 33, by Daggett, a bill for an act relating to the purposes for which the property tax levied under section 297.5 of the Code may be expended.

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

House File 34, by Jochum, a bill for an act relating to the scope of negotiations conducted by public employers and employees.

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

House File 35, by Jochum, a bill for an act relating to 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 36, by Schroeder, a bill for an act relating to a contract for a professional licensing examination.

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

House File 37, by Jochum, a bill for an act relating to the use of polygraph examinations as a condition of employment and providing a penalty.

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

House File 38, by Branstad, a bill for an act to allow a separate itemized deduction from taxable income for medical care insurance premiums paid by a taxpayer who has income earned from self-employment, in computing state individual income tax.

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

House File 39, by Spear, a bill for an act relating to the partial payment of delinquent real property taxes.

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

House File 40, by Daggett, a bill for an act relating to the membership of the state board of tax review.

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

House File 41, by Daggett, a bill for an act to create a valuation review commission and to provide for its powers and duties.

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

House File 42, by Pavich, a bill for an act relating to the residence qualification for election to the office of drainage district trustee.

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

House File 43, by O'Kane, a bill for an act authorizing a city to certify a tax to be levied to pay the cost of an essential corporate purpose in lieu of issuing general obligation bonds.

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

House File 44, by Pavich, a bill for an act authorizing drivers of passenger motorbuses to use citizen band radios.

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

House File 45, by Doderer, a bill for an act relating to the posting of the kind and quality of motor vehicle fuel sold from motor vehicle fuel pumps.

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

On motion by Norland of Worth, the House was recessed at 12:00 noon, until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-one members present, nine absent.

SENATE AMENDMENT FURTHER CONSIDERED
(House Concurrent Resolution 2)

The House resumed consideration of House Concurrent Resolution 2, relating to the joint rules of the Seventieth General Assembly, and the Senate amendment H—3014, as amended, found on pages 95 and 96 of the House Journal.

Harbor of Mills offered the following amendment H—3019, to the Senate amendment H—3014, filed by him and moved its adoption:

H—3019

Amend amendment H—3014, the Senate Amendment to House Concurrent Resolution 2, as follows:

1. Page 1, by striking lines 8 through 18.

A non-record roll call was requested.

The ayes were 37, nays 58.

Amendment H—3019 lost.

The motion to reconsider amendment H—3018 filed by Schroeder of Pottawattamie from the floor was called up for consideration.

Harbor of Mills rose on a point of order that consideration of the motion to reconsider was not in order.

The Speaker ruled the point not well taken and the motion to reconsider in order.

The House took up for consideration the motion to reconsider amendment H—3018, to the Senate amendment H—3014, filed by Schroeder of Pottawattamie from the floor.

Schroeder of Pottawattamie asked for unanimous consent to withdraw the motion to reconsider.

Objection was raised.

Schroeder of Pottawattamie moved to withdraw the motion to reconsider amendment H—3018.

The ayes were 35, nays 55.

The motion lost.

Schroeder of Pottawattamie moved to reconsider the vote by which amendment H—3018, to the Senate amendment H—3014, was adopted by the House on January 12, 1983.

The motion lost.

Schroeder of Pottawattamie called up for consideration the motion to reconsider amendment H—3017, to the Senate amendment H—3014, filed by him from the floor and moved to reconsider the vote by which amendment H—3017 was adopted by the House on January 12, 1983.

A non-record roll call was requested.

The ayes were 58, nays 39.

The motion prevailed and the House reconsidered amendment H—3017, to the Senate amendment H—3014, found on page 96 of the House Journal.

Schroeder of Pottawattamie moved the adoption of amendment H—3017, to the Senate amendment H—3014.

A non-record roll call was requested.

The ayes were 37, nays 58.

Amendment H—3017 lost.

Fey of Scott moved that the House concur in the Senate amendment H—3014, as amended.

The motion prevailed.

On motion by Fey of Scott, the resolution, as amended, was adopted.

IMMEDIATE MESSAGE
(House Concurrent Resolution 2)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolution 2 to the Senate.

Norland of Worth asked and received unanimous consent to dispense with the printing of a clip sheet on Friday, January 14, 1983.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 20 Local Government

Relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

DEPARTMENT OF SUBSTANCE ABUSE

The Iowa Comprehensive State Plan for Substance Abuse 1982-1983, pursuant to Chapter 124.7 (8), Code of Iowa.

On motion by Norland of Worth, the House was adjourned at 2:02 p.m., until 10:00 a.m., Friday, January 14, 1983 at Veterans Memorial Auditorium.

JOURNAL OF THE HOUSE

Fifth Calendar Day—Fifth Session Day

Gaskell Room
Veterans Memorial Auditorium
Des Moines, Iowa, Friday, January 14, 1983

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

Prayer was offered by the Honorable Mark Haverland, state representative from Polk County.

The Journal of Thursday, January 13, 1983 was approved.

COMMITTEE TO NOTIFY THE SENATE

Baxter of Des Moines 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 Baxter of Des Moines; Zimmerman of Dallas; and Hummel of Benton.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Baxter of Des Moines, 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 House stood at ease and proceeded to the Auditorium for the joint convention and inauguration of Governor-elect Terry E. Branstad and Lieutenant Governor-elect Robert T. Anderson.

The House reconvened, Speaker Avenson in the chair.

The Sergeant-at-Arms announced the arrival of the President pro tempore of the Senate, the Parliamentarian of the Senate and the honorable body of the Senate.

The President pro tempore of the Senate was escorted to the Speaker's station, the Parliamentarian to the Chief Clerk's desk and the members of the Senate were seated with members of the House.

Prelude music was presented by the Lake Mills High School Band and the Lake Mills Community Chorus.

JOINT CONVENTION

The joint convention reconvened at the auditorium at 10:23 a.m., President pro tempore Miller presiding.

Senator Junkins 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 pro tempore Miller declared a majority of the General Assembly present at the joint convention.

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 2, 1982, beg leave to make the following report of the total vote cast for Governor:

Terry E. Branstad	548,313
Roxanne Conlin	483,291
Jim Bittner	2,767
Marcia J. Farrington	3,307
Scattering	551

And the total vote cast for Lieutenant Governor at the election, held November 2, 1982:

Robert T. Anderson	513,396
Lawrence E. Pope	464,437
Steve Marsden	2,763
Dean T. Miller	4,507
Scattering	61

All of which is most respectfully submitted.

TOM SLATER
Teller of the Senate
THOMAS J. JOCHUM
Teller of the House
JOSEPH O'HERN
Secretary of the Joint Convention

WILLIAM W. DIELEMAN
RAY TAYLOR
JACK HOLVECK
HORACE DAGGETT
Assistant Tellers

Senator Slater of Pottawattamie moved that the report be adopted.

The motion prevailed and the report was adopted.

President pro tempore Miller of Des Moines of the joint convention announced that the Honorable Terry E. Branstad, 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 Robert T. Anderson, 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 Seventieth General Assembly of the State of Iowa, of all the votes cast at the general election held November 2, 1982, for the office of 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 Fourteenth day of January, A.D., 1983

DONALD D. AVENSON
Speaker of the House
TOM SLATER
Teller of the Senate
THOMAS J. JOCHUM
Teller of the House
JOSEPH O'HERN
Acting Clerk of the House and
Secretary of the Joint Convention

CHARLES P. MILLER
President Pro Tempore of the Senate and
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 Seventieth General Assembly of the State of Iowa, of all the votes cast at the general election held November 2, 1982, for the office of Lieutenant Governor of the State of Iowa, it appeared that Robert T. Anderson 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 Fourteenth day of January, A.D., 1983

DONALD D. AVENSON
Speaker of the House
TOM SLATER
Teller of the Senate
THOMAS J. JOCHUM
Teller of the House
JOSEPH O'HERN
Acting Clerk of the House and
Secretary of the Joint Convention

CHARLES P. MILLER
President Pro Tempore of the Senate and
President of the Joint Convention

President pro tempore Miller of Des Moines then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Junkins of Lee 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 Terry E. Branstad and Lieutenant Governor-elect Robert T. Anderson of the official result of the canvass of votes.

The motion prevailed and the President pro tempore Miller of Des Moines named as such committee Senators Horn of Linn, Hall of Linn and Holt of Clay, on the part of the Senate; and Representatives Lloyd-Jones of Johnson, Jay of Appanoose, and Branstad of Winnebago, on the part of the House.

"America the Beautiful" was sung by the Lake Mills Community Chorus.

The Justices of the Supreme Court, Judges of the Court of Appeals, U.S. Senators Roger Jepsen and Charles Grassley, Congressman Cooper Evans, former Governor and United States

Senator Harold E. Hughes, elected Iowa officials and other invited guests were escorted into the auditorium.

REPORT OF COMMITTEE

Senator Horn of Linn from the joint committee appointed to notify Terry E. Branstad and Robert T. Anderson 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 Terry E. Branstad and the Honorable Robert T. Anderson of their election to the office of Governor and Lieutenant Governor, 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,

WALLY E. HORN
HURLEY E. HALL
LEE HOLT
JEAN LLOYD-JONES
DANIEL J. JAY
CLIFFORD O. BRANSTAD

The motion prevailed and the report was adopted.

The families of Governor-elect Terry E. Branstad and Lieutenant Governor-elect Robert T. Anderson were escorted to their seats.

"Battle Hymn of the Republic" was performed by the Lake Mills Community Chorus.

Governor Robert D. Ray and Mrs. Billie Ray were escorted to their seats.

The Sergeant-at-Arms announced the arrival of Governor-elect Terry E. Branstad and Lieutenant Governor-elect Robert T. Anderson.

Governor-elect Terry E. Branstad and Lieutenant Governor-elect Robert T. Anderson were escorted to the rostrum by the inaugural committee consisting of Senators Gettings of Wapello, Colton of Woodbury, Mann of Polk, Rife of Muscatine, Schwengels of Jefferson and Vande Hoef of Osceola, on the part of the Senate; and Representatives Lonergan of Boone, Anderson of Audubon, Black of Jasper, Hanson of Delaware, Norland of Worth and Schnekloth of Scott, on the part of the House.

The colors were advanced by the Des Moines Technical High

School United States Marine Junior Reserve Officer Training Corps.

The National Anthem was sung by Paul Geiger, Princeton, Iowa.

The invocation was delivered by the Monsignor Maurice Dingman, Bishop of the Des Moines Diocese.

The oath of office was administered to Lieutenant Governor-elect Robert T. Anderson by Chief Justice W. W. Reynoldson of the Supreme Court of Iowa, assisted by Mrs. Elsie Anderson.

President Miller presented Lieutenant Governor Robert T. Anderson.

"God Bless America" was sung by the Tiny Tots Childrens Choir of Des Moines.

The oath of office was administered to Governor-elect Terry E. Branstad by Chief Justice W. W. Reynoldson of the Supreme Court of Iowa, assisted by Mrs. Chris Branstad.

Lieutenant Governor Robert T. Anderson, President of the Senate, presiding, presented Governor Terry E. Branstad, who delivered the following inaugural address:

Governor Ray, Lieutenant Governor Anderson, Mr. Speaker, Mr. Chief Justice, Justices and Judges, State Officials, Senators and Representatives, Guests, and Friends:

Today we have witnessed the transition of the powers of public office and the responsibilities of leadership that go with it. We have good cause to celebrate as a people — not because an office has been won, but because this Inauguration affirms the basic principles of freedom and democracy which we all enjoy.

Today, we, the people of Iowa, begin a new chapter in our state's history. While it is traditional for a new Governor to speak of new beginnings, new causes and new ideas, I would like to depart from that tradition for a moment. I would like to reflect briefly on the chapter of Iowa's history which has just come to a close.

The Nation's senior Governor has just stepped down from office. More than any other individual in our time, Robert D. Ray has reshaped Iowa and touched the lives of our people. His steady leadership has kept this ship of state on a steady course of progress with stability — through good times and difficult times. Governor Ray was responsible and responsive to the people. His personal character and integrity set an example for all of us. His administration is well recognized for being fair and far-sighted, competent and sensitive. On behalf of all Iowans I would like to say to you, Governor Ray, "thank you."

I am committed to continuing Iowa's tradition of open, honest, just and compassionate government. I will be careful and conservative with your tax dollars, and caring and compassionate about human needs.

My home near Lake Milis is close enough to the border to make me appreciate being an Iowan. Still I am painfully aware of how deeply the national recession has crept into our state. Farmers are fighting for their economic survival. In many areas of Iowa, manufacturing has slowed or even ground to a halt. The recession has caused too many small businesses to close their doors for the last time. For over 80,000 Iowans now unemployed, a multitude of goals and ambitions have been reduced to a single hope, a single wish, a single need — the need for a job!

JOBS FOR IOWANS

My Number One priority is finding jobs for Iowans.

Government can serve as a catalyst to help spur economic growth. But we need the cooperation of business, labor, education and agriculture if we are to have any realistic hopes for success.

Any examination of Iowa's assets shows we have a lot to offer. Iowa workers are highly skilled and that productivity creates quality — a tremendous selling point to consumers demanding value for their hard-earned money.

Iowa is a natural haven for high technology jobs. Our resources should be directed toward developing more high technology — particularly bio-technology, micro-electronics, productivity enhancement and energy alternatives.

We need to revise our securities laws to stimulate venture capital, and create an "Iowa Fund" to encourage our citizens to invest in their state's future. Business and industry can form educational partnerships with our universities and colleges.

All of these ideas, and more, will be pursued by our new High Technology Commission. I am going to push these ideas with the full force and authority of the Governor's Office, and I ask you to support them.

Today, I also welcome the opportunity I have to help unemployed Iowans get the training they need to find new, permanent jobs in the private sector.

As part of "New Federalism," the Federal government is eliminating the old CETA Program. It will be replaced with the new Jobs Training Partnership Act, which gives each state a larger role in shaping its jobs program. I have asked Charlotte Mohr of Eldridge to serve as Chairman of Iowa's Jobs Training Council.

It is imperative that young Iowans have every possible chance to be trained here so they can work here, live here, raise their families here and contribute to the overall well-being of this state.

I am looking at every feasible method for improving that well-being. Some things can happen relatively soon. Here are a couple: By authorizing revenue bonds for the Colloton Pavillion at the University of Iowa Hospital, construction can start in the spring. And, by speeding up payment of monies from the Community Development Block Grant, we will assist with community projects. Together, these will create hundreds of new jobs in this state this summer.

Another area that has real potential for more jobs is in tourism. Presently, Iowa's tourism spending ranks forty-ninth among the fifty states. Many non-Iowans think our top attraction is an event that occurs only once every four years — the Presidential precinct caucuses.

Iowa does have a lot to offer. Where can you better see the progress we have made in agriculture than at our own Living History Farms?

And we have natural beauty. From the Loess Hills of western Iowa to the bluffs overlooking the Mississippi, from Okoboji and Clear Lake to Shimek Forest in Van Buren County, Iowa truly is a "beautiful land." We must tell America and show America what we have to offer in the heartland of America.

PROMOTING IOWA AGRICULTURE

The mainstay of the Iowa economy is agriculture. While we cultivate new industries at home, we must aggressively seek out new markets for our farm products.

As a fourth generation family farmer, I understand the significance of this long-standing institution to the Iowa economy. As Governor of the Number One farm state, the success of agriculture will always be my personal priority.

One week from today, in my Budget address to the Legislature, I will recommend that Iowa open an office in Asia to aggressively sell Iowa's agricultural and industrial products.

The need for better markets is at the heart of the solution to the depressed farm economy. We must continue the fight to free the international marketplace from government interference and distortion.

The Federal government has offered us some much needed help with legislation authorizing American businesses to form export trading companies that can provide a whole array of export services.

No state is in a better position to capitalize on this opportunity than Iowa. Our balanced output of products — corn, beans, beef and pork, plus all that we manufacture — offers so much to foreign buyers. Yet some have trouble finding the cash to pay for those products.

A private international trading group that could trade Iowa's produce and Iowa's products for well-made foreign goods could be a valuable mechanism for economic growth. I would anticipate that many American buyers would come to Iowa to buy the foreign products. This is an exciting opportunity to seize an even greater leadership role in this nation in the area of foreign trade.

EXCELLENCE IN EDUCATION

Along with the production of food, what people also know about Iowa today, and we are proud of it, is that this state produces some of the brightest, most literate citizens to be found anywhere.

Iowa's educational system is recognized for its excellence, and one of my goals as Governor is to enhance this excellence. One way to do this is by teaching more young Iowans how to speak a foreign language.

Foreign language education is essential in order to communicate in a multi-cultural world. We should provide incentives that encourage the learning of foreign languages in our public schools — and I intend to do just that.

For the same reason, science and mathematics instruction should be expanded along with incentives for young people to consider careers in teaching these courses. A strong basic education in science and mathematics will be one of the building blocks for success in the technologically advanced twenty-first century.

These are just a couple of things we can do, while we also provide increased state support for our public schools.

Furthermore, there are some significant steps we can take to lend additional help to young Iowans pursuing their higher education.

We have too many overcrowded classrooms at our State Universities and too many empty ones at our private colleges. There have been significant losses in federal funds.

If we fail to close the growing tuition gap, many Iowa communities could lose fine education institutions, and many students would be deprived of opportunities.

Investments in education in the 1980's are a priority — and they will pay dividends in the 1990's and beyond.

MEETING HUMAN NEEDS

During times like these we not only have the ongoing need to plan for the future, but a current obligation to help those Iowans who truly are suffering. A lot of people need a helping hand, and we must not turn our backs on them.

The last legislative session restored the Unemployed Parent Program with a workfare provision. It expires at the end of March, and I ask that it be continued.

The cost of health care is fast moving beyond the reach of many Iowans who want to insure the health of their loved ones. Health insurance premiums are rising twice as fast as inflation and literally breaking the budgets of many families.

The majority of hospital and medical service corporation boards should be users of health care, not providers. Those of us paying the bills need a stronger voice in health care policy making.

We need to do a better job of educating people on the harmful effects of smoking and drinking and the helpful benefits of exercise and physical fitness.

In a state where one out of five people is 60 years of age or older, we need to be a leader in providing opportunities for senior citizens. I am commited to helping older Iowans stay in their homes while improving tax relief measures specifically designed for them.

And, an informational clearinghouse for the widowed, under the direction of the Commission on Aging, would give elderly who have lost a spouse some real help when they need it most.

PROVIDING ENERGY RELIEF

When winter comes to Iowa, there is no human need more fundamental than staying warm. Our low-income and elderly people are especially hard hit by escalating utility costs. That is why we have begun a voluntary utility check-off program to help elderly and low-income people with energy relief.

This evening, we are holding the HELPER dinner in conjunction with the inauguration. Proceeds from this dinner will be a first step in providing a nest egg to begin HELPER.

The second major step is to encourage Iowa's utility companies to participate in the check-off program. We are asking all utilities to participate.

A third step is to encourage Iowans to add an additional dollar to their utility bill, to help their neighbors in need.

The goal of HELPER is to put every dollar contributed toward weatherizing homes. This means we are asking the utility companies to donate the expenses they incur for implementing the check-off system. Administrative costs will be minimal, because all contributions will be channelled through the Energy Policy Council's existing weatherization program.

Many Iowans cannot understand why utility companies are permitted to increase rates before the Iowa Commerce Commission has ruled on the rate request. In recent years, we have increased the Commerce Commission's staff to reduce the time needed to decide rate cases.

Now, it is time to take an additional step and flatly prohibit rate increases under bond. Instead, the Commerce Commission should decide if an increase is necessary based on a projected test year.

Furthermore, we can establish a Consumer Appellate Advocate, to protect the consumer's right to appeal Commerce Commission decisions to the courts, without additional cost.

PROTECTING PEOPLE'S SAFETY

Iowans need to feel safe and secure. We rank 42nd in the United States in violent crime, which is good, but all of us agree that any crime is too much. We must discourage crime, punish offenders, promote rehabilitation and, whenever possible, provide restitution for the victims of crime — the people whose pain and anguish is not counted by statistics.

Iowa needs a classified sentencing system. Inmates sent to prison should serve a predictable, minimum sentence before being considered for release. Good and honor time should not be given automatically . . . it should be earned.

Our bail bonding statutes should be revised so that judges consider the danger to the public in setting bail bond.

To give us some current constructive advice on our prison system, I will establish a Citizens' Advisory Commission on Corrections.

Last July, a new, tough drunk driving law went into effect and, in just six months, we have already seen a forty-one percent reduction in alcohol related highway deaths. Just two weeks ago, a new victim compensation program went into effect. I intend to closely monitor the effectiveness of both programs, and I am prepared to make improvements in the future, if they are required.

Let me repeat, that the safety of our people is a priority of mine. It is as much a human need as food, clothing and shelter . . . and it is a human need we will meet in this administration.

PROTECTING IOWA'S RESOURCES

Protecting people is important, and so is protecting our resources. We have made great strides in saving Iowa's soil, and I am glad that more and more Iowans have come to appreciate the necessity of this preventive action. We can do still more — and we have to.

The budget I will set forth next Friday encompasses the conservation of soil and the quality of our water. The environment is not the burning issue it once was — because this state and others have made the effort to save it. However, we must not allow an emphasis on other critical issues to cause any retrenchment.

A WORKING GOVERNMENT

Iowans expect government to meet human needs — whether they be in education, the environment, or the other major areas I have discussed. They expect efficient service — and they deserve it. They expect effective service — and they deserve it.

As a citizen first and Governor second, I too expect government to fulfill its responsibility to people — but not to encroach into their lives. Government should plan ahead — not be caught off-guard. Government in this state should be cooperative with other units of government — not combative. Not only do I agree with these principles, as Governor, I will work for them.

We are so fortunate in Iowa to have the kind of progressive government that is the envy of other states. Governors Harold Hughes and Robert Ray have moved state government forward by light-years, and I want to build upon their good achievements.

I also want government to be more accessible. I look forward to taking key leaders from state government with me to communities across this state to listen and learn from Iowans.

Right after my Budget Message, I will begin these visits around Iowa. The budget touches the lives of every man, woman and child in this state — so I will show what we are doing for our people with the revenues we receive. I will also remind Iowans to look at our neighboring states and realize how much better off we are.

To keep spending in line, I am forming a Governor's Task Force on Efficiency and Cost-Effectiveness in state government. Their assignment will be to investigate state agencies to discover additional ways in which we can eliminate waste and save tax dollars. It will be coordinated out of the Comptroller's Office and composed of

individuals from my administration who share the philosophy that government should do only what is needed . . . and no more!

People are more productive if they are free to use their own talents and their creativity with minimum interference.

I have asked our Administrative Rules Coordinator to make sure that departmental rules and regulations do not unnecessarily impede our goal of economic development and jobs. She will also review rules and laws to ensure equal treatment for all people — our commitment to the 50 States Project.

Iowa must continue with its progressive tradition of equal rights and opportunities for all citizens. Tomorrow, we will observe the anniversary of Martin Luther King's birthday. Today, I submit that we must eliminate regulations which discriminate in practice, even if that is not evident on the surface.

Over the next four years, we will seriously address the difficult problems facing our state. We will not shy away from making tough decisions.

While it may not be politically popular, I feel the people of this state elected me to recommend and work for what is needed. For example, Iowa's unemployment trust fund is broke. Like many other states, we have already had to borrow money from the federal government. Job Service predicts this deficit could be $300 million by the end of 1984.

The legislature has put off addressing this problem for the last two years — waiting for the national economy to get better. We cannot afford to wait any longer. Next week, I will deliver to the legislature a balanced approach to address this problem. It will call for concessions from both employers and employees. This plan will be fair. This plan does not include cuts in benefits for those presently unemployed or a tax on presently employed workers.

Today, I have noted a few of the tough decisions we need to address. Next week, in my first Budget Message to the legislature I will focus on many more.

As I said at the beginning of my Address, the challenge of leadership is the willingness to shoulder responsibility. Lieutenant Governor Anderson and you legislators have pledged to cooperate with me, and I appreciate it. And you have my pledge to work with you.

We can do what is needed for the people of Iowa — but only if we work with their interests uppermost in our minds.

After traveling thousands of miles . . . after visiting every county in this state three or more times in the past five years, I am convinced that, within Iowans, lies the potential to accomplish so very much.

We have only begun to see the greatness of this state — a greatness that comes not from huge cities or spectacular geographic formations, but a greatness that comes from the very people who call this state home — our families . . . friends . . . neighbors . . . all Iowans.

These genuine, hard-working folks make Iowa a little better every year.

Now, during a very difficult time in this country's history, our energies must be directed towards helping each other.

This kind of service is also a form of greatness. It goes to the very essence of being an Iowan.

As a farm boy, I remember many times when the neighbors got together to help out someone who needed assistance because of a death, illness or natural disaster. As a state official, I have seen people pull together after an accident, flood or tornado. The worst in times often brings out the best in people.

Now is the time to harness the best that is in us — our benevolence and compassion — and bring it to bear on our most pressing human needs.

Now is the time when we must turn to the traditions that have made us a strong and hopeful people. We must do what Iowans have always done, only with more force, more vigor.

Now is the time for neighbor to help neighbor, stranger to aid stranger, friend to reach out to foe.

Now is the time for those who have, to aid those who have not.

It will be the highest priority of my administration to foster a spirit of volunteerism and charity wherever possible. We must focus the inherent goodwill of our people on the most urgent, basic human needs.

My wife Chris, our children Eric and Allison and I appreciate the warm outpouring of Iowans who are sharing this special day with us. We look forward to serving you, the people of this great place we call Iowa.

Thank you.

The benediction was offered by the Reverend Elles Ulland of Lake Mills, Iowa.

President Anderson in the chair.

Norland of Worth moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Avenson in the chair.

Norland of Worth moved that the House adjourn until 10:00 a.m., Monday, January 17, 1983, which motion prevailed.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

IOWA GEOLOGICAL SURVEY

The report of the State Geologist on a Comprehensive State Water Resources Information System pursuant to Chapter 1199, Sec. 60, Acts of the 1982 Session of the Sixty-ninth General Assembly.

SUBCOMMITTEE ASSIGNMENTS

House File 1

State Government: Halvorson of Webster, Chair; Carpenter, Hammond, Pavich and Tofte.

House File 2

Judiciary and Law Enforcement: Doderer, Chair; Schroeder and Tabor.

House File 3

State Government: Rensink, Chair; Blanshan and Chapman.

House File 4

Local Government: Running, Chair; Hermann and Oxley.

House File 6

Judiciary and Law Enforcement: Clark, Chair; Miller and Parker.

House File 7

Agriculture: Gruhn, Chair; Halvorson of Webster and De Groot.

House File 8

State Government: Pavich, Chair; Arnould and Tofte.

House File 9

State Government: Arnould, Chair; Buhr and Krewson.

House File 10

Judiciary and Law Enforcement: Chapman, Chair; Brammer and Corey.

House File 12

Local Government: Spear, Chair; Connors and Tofte.

House File 15

Judiciary and Law Enforcement: Jay, Chair; Hammond, Paulin and Tabor.

House File 17

Judiciary and Law Enforcement: Knapp, Chair; Haverland and Holveck.

House File 19

Judiciary and Law Enforcement: McKean, Chair; Halvorson of Clayton and Rosenberg.

House File 23

State Government: Halvorson of Webster, Chair; Carpenter, Hammond, Pavich and Tofte.

House File 24

Judiciary and Law Enforcement: Halvorson of Clayton, Chair; Jay, McIntee, Rosenberg and Varn.

House File 25

Agriculture: Davitt, Chair; Carter and Stueland.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 1

Small Business and Commerce: Baxter, Chair; Lonergan, Hummel, McIntee and Groninga.

Study Bill 2

Local Government: Cooper, Chair; Connors and Swearingen.

Study Bill 3

Local Government: Black, Chair; Sherzan and Torrence.

Study Bill 4

Local Government: Buhr, Chair; Lloyd-Jones and Menke.

Study Bill 5

Local Government: Cooper, Chair; Connors and Swearingen.

Study Bill 6

Small Business and Commerce: Chiodo, Chair; Schroeder and Gronstal.

Study Bill 7

Ways and Means: Tabor, Chair; Fey, O'Kane, Renken and Schroeder.

Study Bill 8

Ways and Means: Rosenberg, Chair; Chiodo, Cochran, McKean and Schnekloth.

Study Bill 9

Ways and Means: Groninga, Chair; Clark, Davitt, De Groot and Varn.

Study Bill 10

Ways and Means: Schnekloth, Chair; Connolly, Diemer, Koenigs and Pavich.

Study Bill 11

Ways and Means: Anderson, Chair; Bennett and Swartz.

Study Bill 12

Ways and Means: Osterberg, Chair; Brammer, Daggett, Maulsby and Oxley.

Study Bill 14

Ways and Means: Carpenter, Chair; Copenhaver and Holveck.

Study Bill 17

Ways and Means: Gronstal, Chair; Lageschulte and Tabor.

Study Bill 20

Local Government: Menke, Chair; Peick and Sherzan.

On previous motion by Norland of Worth, the House adjourned at 11:55 a.m., until 10:00 a.m., Monday, January 17, 1983.

JOURNAL OF THE HOUSE

Eighth Calendar Day—Sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 17, 1983

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

Prayer was offered by the Reverend Julia Poulsen, pastor of St. Luke United Methodist Church, Newton.

The Journal of Friday, January 14, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hummel of Benton, for the week of January 17, 1983, on request of Halvorson of Clayton.

PETITION FILED

The following petition was received and placed on file:

By Varn of Johnson, from three hundred ninety-nine constituents favoring the recommendations of the Amana Land Use Study Committee to pursue legislation as a means to guide land use in the Amanas.

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 13, 1983, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 4, providing for a joint convention of the Seventieth General Assembly on January 19, 1983, and inviting Chief Justice W. W. Reynoldson to present his condition of the judicial department message.

Also: That the Senate has on January 13, 1983, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 5, providing for a joint convention of the Seventieth General Assembly and inviting Governor Terry E. Branstad to deliver his budget message.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 46, by Skow, Cochran, Davitt, Muhlbauer, Black, Fogarty, Koenigs, Blanshan, Carter, Zimmerman, Gruhn and Halvorson of Webster, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences.

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

House File 47, by Arnould, a bill for an act relating to the use of infant, convertible, and child passenger restraint systems and safety belts and safety harnesses by persons under sixteen year of age and providing civil penalties.

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

House File 48, by Diemer, Renaud, Swartz, Cooper, Swearingen, Hammond, Hermann, Royer, Handorf, Renken, Maulsby, Van Maanen, McIntee, Van Gerpen, and Rensink, a bill for an act authorizing counties to contract with registered or certified public accountants to audit their financial records and transactions.

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

House File 49, by Woods, Schroeder, Chiodo, Jochum, Pavich, Gronstal, Peick, Shoultz, Sherzan, and Renaud, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse races, dog races, and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

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

House File 50, by Woods, Pavich, Chiodo, Running, Peick, Sherzan and Renaud, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

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

House File 51, by Pavich and Woods, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting dog races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

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

House File 52, by Clark, a bill for an act relating to the use, possession, delivery, manufacture, or advertisement of objects commonly used in connection with an illegal use of controlled substances, and providing for civil forfeiture and criminal penalties.

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

House File 53, by Diemer, Doderer, Carpenter, Lonergan, Lloyd-Jones, Ollie, Copenhaver, Royer, Haverland, Varn, McIntee, Swearingen, Renaud, Van Gerpen and Hermann, a bill for an act relating to the donation of blood by persons seventeen years of age or older.

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

House File 54, by Bennett, a bill for an act to require a bond from a person who provides a handling service for a dealer or a person operating a redemption center and to provide a penalty for violations.

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

House File 55, by Bennett, a bill for an act authorizing cities, counties, and school districts to impose an income tax and to pledge the tax for the payment of bonds issued by the jurisdiction imposing the tax.

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

COMMUNICATION RECEIVED

A communication regarding changes in the following matters has been received on January 17, 1983 from the Honorable W. W. Reynoldson, Chief Justice of the Supreme Court, and is on file in the office of the Chief Clerk:

Pursuant to Iowa Code Sections 684.18(1) and 684.19, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly changes in existing Rules of Civil Procedure: Rules 82(f); 117; 126(b); 136(b); 139 and 143.

Pursuant to Iowa Code sections 813.4 and 684.19, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly changes in existing Rules of Criminal Procedure: Rules 3(4) (j); 5(4); 6(1); 7(2) (a); 8(2) (b) (3); 10(10) (d) (6); 16(2); 17; 23(3) (d); and 23(3) (e).

Pursuant to Iowa Code sections 232.152 and 684.19, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly the following new Rule of Juvenile Procedure: Rule 1.

Pursuant to Iowa Code sections 684.18(2) and 684.19, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly a change in the Rules of Appellate Procedure: Rule 5(a).

On motion by Norland of Worth, the House adjourned at 10:13 a.m., until 9:00 a.m., Tuesday, January 18, 1983.

JOURNAL OF THE HOUSE

Ninth Calendar Day—Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 18, 1983

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

Prayer was offered by the Reverend Warren McFate, pastor of the First United Methodist Church, Audubon.

The Journal of Monday, January 17, 1983 was approved.

COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

January 13, 1983

The Honorable Don Avenson
Speaker of the House
House of Representatives
L O C A L

Dear Don:

To say the least, I was pleasantly surprised and feel deeply honored to have been recognized by the Iowa legislature with the adoption of the resolution of commendation.

Although the executive and legislative branches are separate, over the years a degree of compatibility has allowed government in Iowa to function exceptionally well. Naturally, there have been disagreements, but those disagreements were usually thoroughly debated and sound legislation resulted.

We are living in difficult times with an economy that continues to be sluggish. That means your job will not be easy. But, we have faced many problems in the past which appeared unsurmountable at the moment. We overcame them, and we continued to progress. You have that same capability as this new session gets underway.

Please convey my many thanks and appreciation to the members of the Iowa House for the Resolution which means a great deal to me.

Warmest personal regards.

Sincerely,
Robert D. Ray
Governor

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 3, your committee on rules and 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:

Position	Name	Grade and Step	Class of Appointment	Eff. Date
Research Analyst	Sharon Pilmer	26-1	P-FT	1/14/83
Administrative Assistant II	Elizabeth L. Seiser	15-1	S-O	1/14/83
Secretary II	Norma Bakros	15-1 + 1 + 1	S-O	1/10/83

The following is a resignation from the officers and employees of the House:

Research Analyst	N. John Boehm	1/13/83

COMMUNICATIONS RECEIVED

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

CITIZENS' AIDE/OMBUDSMAN

Legislative Recommendations for 1983, pursuant to Section 601G.16, Code of Iowa.

DEPARTMENT OF HEALTH

A report from the Commissioner of Public Health, pursuant to Chapter 135, Code of Iowa.

OFFICE OF THE GOVERNOR

Reports of reprieves, commutations, pardons granted and remission of fines for the years 1979 through 1982, pursuant to Article IV, Section 16, Constitution of the State of Iowa.

STATE OF ARIZONA

A copy of House Concurrent Memorial Resolution 2004, urging the President and Congress of the United States to bring the Nation's budget into balance and to take certain actions for the purpose of reducing the national debt.

STATE OF CALIFORNIA

A copy of Senate Joint Resolution 67, urging reaffirmation of the principles of the United States Constitution.

A copy of House Resolution 41, relating to a type of bullet.

STATE OF GEORGIA

A copy of Senate Resolution 275, calling upon the United States Congress to pass an amendment to the United States Constitution which would require that the record of all federal judges be reviewed every eight years.

STATE OF HAWAII

A copy of Senate Resolution 65, reaffirming the ratification of the Equal Rights Amendment to the Hawaii State Constitution.

A copy of Senate Resolution 103, requesting appropriate action by Congress to propose an amendment to the Clean Water Act.

STATE OF IDAHO

A copy of House Concurrent Resolution 31, petitioning Congress to propose a constitutional amendment to the Constitution of the United States to provide line item veto authority to the President of the United States on legislation relating to federal appropriations.

STATE OF LOUISIANA

A copy of House Concurrent Resolution 23, to memorialize the Congress of the United States to encourage the development of hazardous waste treatment and disposal sites within each state in the union.

A copy of House Concurrent Resolution 230, to memorialize the Congress of the United States to oppose HR 6115, which proposes diversion of the ten percent excise tax on handguns from the Pittman-Robertson Fund to a special trust fund to compensate victims of crime.

COMMONWEALTH OF MASSACHUSETTS

A copy of a resolution relating to Captive Nations Week, 1982.

STATE OF TEXAS

A copy of House Joint Resolution 17, opposing passage of the Public Employee Retirement Income and Security Act.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 21 Education

To provide an option for meeting school year requirements.

S.B. 22 Small Business and Commerce

Permitting a hospital service corporation to contract with an ambulatory surgical facility.

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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 20), relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, by providing that mobile homes are subject to security interests in the same manner as other vehicles subject to registration, and making certain provisions of the Act retroactive.

Fiscal Note is not required.

Recommended **Amend and Do Pass.**

On motion by Norland of Worth, the House adjourned at 9:13 a.m., until 9:00 a.m., Wednesday, January 19, 1983.

JOURNAL OF THE HOUSE

Tenth Calendar Day — Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 19, 1983

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

Prayer was offered by Eldred McMullen, Lay Leader of the Hazelville United Methodist Church, Council Bluffs.

The Journal of Tuesday, January 18, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. D. J. Soll, Denison.

INTRODUCTION OF BILLS

House File 56, by Woods, a bill for an act to allow a person who is not a cosmetologist to obtain a license to practice electrolysis.

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

House File 57, by Harbor, a bill for an act relating to the accident report filed by law enforcement officers with the department of transportation.

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

House File 58, by Jochum, 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 **small business and commerce.**

House File 59, by Spear and Baxter, a bill for an act to allow a tax credit for sheltered workshop contracts to state individual and corporate taxpayers.

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

House File 60, by Spear, a bill for an act relating to limitations on the sale of merchandise at reduced rates due to the cessation of business operations.

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

House File 61, by Bennett, a bill for an act relating to the rate of interest assessed for delinquent property taxes.

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

House File 62, by Spear, a bill for an act relating to the providing of general assistance to needy persons, indicating broadly the relationship of general assistance to other public assistance programs for which federal funds are available, specifying the powers and duties of county officers in connection with the general assistance program, prescribing the method for determining an individual's county of legal settlement, and redesignating the poor fund as the county human resources fund.

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

House File 63, by Skow, a bill for an act relating to the monthly deposit or remittance of state income tax withheld and state sales and services tax collected and providing for partial remuneration for collecting the state sales and services tax.

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

House File 64, by Tofte, a bill for an act requiring bicycles to be driven as close as practicable to the right-hand curb or edge of roadway and providing a penalty.

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

House File 65, by Davitt, Cooper, Grandia, Cochran, Van Maanen, Jay, Parker and Hermann, a bill for an act relating to the purchase of coal by the state or a political subdivision of the state.

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

House File 66, by Stueland, a bill for an act relating to the definitions of public water supply system and private water supply.

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 January 17, 1983, concurred in the House amendment to the Senate amendment, and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 2, providing for the joint rules of the Seventieth General Assembly.

K. MARIE THAYER, Secretary

The House stood at ease at 9:08 a.m., until the fall of the gavel.

The House resumed session at 9:37 a.m., Speaker Avenson in the chair.

COMMITTEE TO NOTIFY THE SENATE

Knapp of Dubuque 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: Knapp of Dubuque, Fogarty of Palo Alto and Renken of Grundy.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Knapp of Dubuque, 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 Parliamentarian of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Parliamentarian 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 4, duly adopted, the joint convention was called to order, President Anderson presiding.

Senator Junkins of Lee 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 Anderson announced a quorum present and the joint convention duly organized.

Senator Junkins of Lee 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 Wells of Linn, Dieleman of Marion and Ritsema of Sioux, on the part of the Senate, and Representatives Chapman of Linn, Jay of Appanoose and McKean of Jones, on the part of the House.

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

The committee waited upon Chief Justice W. W. Reynoldson and escorted him to the Speaker's station.

President Anderson then presented Chief Justice W. W. Reynoldson who delivered the following State of the Judicial Department Message:

MR. PRESIDENT, MR. SPEAKER, SENATORS, REPRESENTATIVES, STATE OFFICIALS, AND FELLOW IOWANS:

An Iowa statute requires the chief justice to appear here each session to report the condition of the Judicial Branch of government, and to make suggestions. This is the fifth time you have extended this courtesy. Unfortunately, despite the best efforts of all of us, judicial department problems persist. Recently I worried aloud to a wise politician that I might become repetitious. I was advised not to worry: that forty-one of you would be here for the first time and on my prior visits some of the remainder may have missed the message!

On a more serious note, we all realize our three coequal branches of government serve the same constituency. Together we share the responsibilities and burdens that all Iowans have placed upon us. It is in this spirit of shared responsibility that we present our report and list our suggestions.

We know we do so at a time of grave economic crisis. And herein lies a pardox. In times of economic crisis the public funds necessary to operate the courts are increasingly harder to come by. Yet, at the same time, citizens turn to the courts with increasing urgency for resolution of their problems. The shortage of money is itself a cause for increased demands for prompt judicial services.

So, at a time when a public fund shortage has driven you to explore ways to cut government spending, we are called by our joint constituency to say the times demand an expansion, rather than a contraction, in court services. Times of crisis are the worst times to curtail social order. Especially now, it would be dangerous, as well as just plain wrong, to ration justice.

All available evidence indicates people not only want prompt and effective judicial services, they are willing to pay the price. In an Iowa public opinion poll, 87 percent of the respondents agreed with the statement that "long delays occur before a civil case comes to trial." Almost 70 percent agreed with the statement that "courts do not have enough judges to handle the work load." Results of a national survey by the pollsters for Time magazine, Yankelovich, Skelly and White, disclosed that 74 percent of the public is more willing to spend tax dollars on improving the judiciary than on any other part of the criminal justice system.

Another and more recent manifestation of this willingness lies across our northern border. Minnesota and Iowa have the same volume of appellate case load. As you know, Iowa has a five-judge court of appeals. Minnesotans, by a 77 percent affirmative vote in last November's election, adopted a constitutional amendment that will provide a twelve-judge court of appeals, deployed in panels of three throughout the judicial districts. The amendment carried in every county. The affirmative vote exceeded by 16 percent the vote of the nearest candidate for state public office.

As a final fiscal observation, we note judicial branch expenditures have always represented a small fraction of the total state budget. This year the $13.1 million budget of the judicial branch represents six-tenths of one percent of Iowa's general fund appropriation of over $2 billion.

Against this backdrop, let us briefly examine what has happened in our trial and appellate courts.

TRIAL COURTS

In 1972, enhancing its national reputation for leadership in good government, the Iowa Legislature integrated the trial courts into one "Iowa District Court." Mayors' courts, justice of peace courts, police courts, superior courts and muncipal courts were abolished. Iowa now has 95 district court judges, 39 district associate judges, and 165 part-time magistrates, all officers of a state court system and salaried by the State of Iowa.

We are inordinately proud of Iowa's dedicated trial judges who have been operating admirably under stressful conditions. In the last five years inflation has eroded their compensation by one-third. It is significant, we think, that in this five-year period twenty-five judges have resigned before reaching mandatory retirement age, five even before reaching the age when they might draw retirement compensation. In these five years, the district court civil and criminal case load has increased over 31 percent. The number of full-time practicing lawyers has increased 25 percent. Although in that five-year period only three additional district court judgeships were established — a 3.3 percent increase — these judges increased their production, in terms of case dispositions, by 29 percent. They have traveled over a million miles per year in all kinds of weather to bring regular court services to rural counties.

The statutory formula for judgeships is your own. The plan you devised to add trial judges on the basis of case load, population and travel now calls for at least twenty-eight additional judges. By amendment though, the statute's operation has been frozen since 1977 except for the addition of three judges in 1981. We know it is unrealistic to expect the system to be brought up to full complement, but let me give you a practical illustration of what a judge shortage does to a community. Lee County, which includes Ft. Madison, is in Judicial Election District 8B, now one-third short of its statutory quota of judges. Because of the priority assigned to criminal cases and child custody cases, no civil jury trials have been scheduled in Lee County since last April. There are 1086 civil cases pending in Lee County, and 310 are over a year and a half old.

Last year, to provide some support for our beleaguered trial judges, we requested state funding for twenty-four law clerk positions at the district court level — one law clerk for every four district court judges. Iowans should thank you for providing sixteen law clerks, but we now ask that the remaining eight positions be funded. Surely one legal assistant for every four judges of general jurisdiction is not above the absolute minimum for effective operation of Iowa's trial courts.

There is nothing revolutionary about this concept: three-fourths of the states now have law clerks in their trial courts. In Minnesota every Twin Cities judge of general jurisdiction has a law clerk, in rural areas two judges share one. In the federal court system, every full-time magistrate is entitled to one law clerk, a district judge is authorized two, circuit judges three, and supreme court justices four. We can think of few areas where a modest investment would provide larger dividends for Iowa's justice system.

Despite the best efforts of our trial judges, and their increased productivity flowing from hard work and the law clerk and administrative support you have provided, we can feel the floodwaters rising. We project over seventy-three thousand pending cases in district court at the end of 1982, a 37 percent increase in a five-year period. In plain words, this means more accused persons will be walking the streets while they wait for the courts to reach their trials. It also means unfortunate Iowans will stand in line with their personal or financial lives at stake, or the future of their children in doubt.

APPELLATE COURTS

The picture is just as grim at the appellate level. In 1972, my first full year on the supreme court, there were 646 appeals filed. By 1982 there were 1849 appeals filed, a ten-year increase of 186 percent. Despite the invaluable support of the five-judge court of appeals that came on line in 1977, this ten-year increase generated an 83 percent increase in case load for each of our now fourteen appellate court judges.

To put it bluntly, we can no longer cope with this case load. Believe me, we have done everything we could. Fighting the rising backlog of ready cases, the supreme court commenced a more summary treatment of selected appeals. We are sitting in three-member panels, doing without oral argument, writing more short per curiam opinions — practices that add nothing to the satisfaction of the litigants, and much less to our own job satisfaction. In the last ten years production per appellate judge has increased 110 percent. The average number of formal opinions per judge has increased 117 percent. But we are losing ground. We closed out 1982 with 8 percent more pending appeals than we had in 1981. Before the legislature provided the court of appeals, cases that were briefed and ready for submission waited twenty-one months to be argued and submitted. In 1979 and 1980, with the five additional appellate judges, we reduced that time to two months. Although we have increased production, the relentless avalanche of appeals has already extended this time to seven months, and that's an intolerable delay.

We have noted that for a comparable appeal load, Minnesota has determined it needs a twelve-judge court of appeals. We suggest that Iowans require at least half that number. Surely you will take another look at our last year's request, now repeated, for one more judge for the court of appeals. It will facilitate that court's sitting in panels of three and thus increase its production, in addition to the efforts of the one additional jurist.

Our work on the supreme court is not limited to opinion writing. We necessarily face a myrid of other tasks. As one example, we struggle with an immense motion practice. In 1982 we studied and researched motions and applications, then entered 904 orders that disposed of cases without formal submission. We entered or supervised entry of almost five thousand other necessary orders that still did not dispose of appeals.

There is more we must do. With the indispensable assistance of appropriate advisory committees of lawyers and judges, we have studied, finalized, and last week submitted to you proposed rules of civil procedure, appellate procedure, criminal procedure and juvenile procedure. These proposals are needed to fine tune our processing

of cases and appeals, and to make our branch's operations more efficient, effective and fair.

Two years ago you adopted House File 779, requesting the supreme court to undertake a study of the federal rules of evidence for the purpose of determining which rules should be adopted in Iowa. As we reported last year, you inadvertently overlooked funding this project. The Iowa State Bar Association and the Iowa State Bar Foundation came to the rescue with printing, mailing, and a $7500 grant. A blue-ribbon committee of lawyers, judges and a law professor, aided by an enthusiastic group of young lawyers, provided research and an outstanding report to the court. Following the court's intensive study, we adopted most of the committee's recommendations with a few revisions. As we promised a year ago, we will forward these proposed rules of evidence to you this month and on time.

As part of our function, we have tracked the problems of the judicial retirement system. A number of alert legislators have been alarmed for years — and with good reason — by its condition. As you know, this system is not derived, as retirement systems commonly are, from a statute. Judicial retirement compensation was created by the people in the Iowa Constitution. Lack of actuarially sound funding ultimately will generate a crisis like that now confronting the federal social security system.

The poll of Iowans, already referred to, documented public misunderstanding and ignorance about the judicial system and how laws are interpreted and enforced in the courts. Working together, the supreme court and the Judicial Coordinating Committee, using a federal grant, have launched a project to expand the knowledge of Iowa's court system among students. Working with social studies instructors throughout the state, instructional units are being developed with more than two hundred activities illustrating key concepts and the legal process. Within grades kindergarten through twelve, printed and audio-visual material have been organized around three basic concepts: social interaction, norms and rules, and conflict resolution. We are pursuing other ways to enhance the public understanding of the legal process. We welcome any suggestions you might offer to serve these ends.

Last session you enacted, and Governor Ray signed, Senate File 2304, awarding the state court administrator's office $100,000 to establish or improve dispute resolution programs. This effort is well under way and is reported more extensively in an appendix attached to the written message we leave for each of you here today.

The supreme court has a constitutional mandate to exercise supervisory and administrative control over all other state courts. Accordingly, in 1982, we examined not only our own but also district court case dispositions. In this examination we had the cooperation of the judicial council and clerks of court. A statewide sampling of over 4700 cases disclosed what we, and you, suspected: There are unfortunate delays and still unidentified differences in production.

A follow-up study is now under way. Last month, the Supreme Court Advisory Committee on Rules of Civil Procedure received a grant from the Iowa State Bar Foundation and Association to identify factors contributing to litigation cost and delay. Working with our staff, the committee will review selected case files and interview numerous trial participants, then evaluate the impact of various pretrial practices and procedures — including depositions — on case processing. We have high

hopes the committee's study will result in innovative suggestions to expedite litigation without compromising the quality of justice.

Iowans, however, should hang their highest hope for judicial branch improvement on the legislature's continuing study and development of legislation to overhaul the antiquated support structure and financing of Iowa's courts. It is surprising this was not accomplished during one of the earlier reorganizations of Iowa's judicial system. On the other hand, we must remember that improvements in the legal arena historically are slow. Seven hundred and sixty-eight years after King John, under the sword at Runnymede, promised not to appoint judges "but of such as know the law of the realm," Iowa appoints a number of magistrates with no prior training in the law. Mr. Jim Henry of Carson, Iowa, veteran of two terms in the House and two terms in the Senate, now president of the Iowa Property Taxpayers Association, referring to the current legislation just mentioned, has observed that some bills fly through both houses, but a good government bill will take several years.

This good government legislation has been developed by many people over a four-year period. After a seven-month study by an independent firm, it was drafted and fine tuned by three successive joint interim study committees. Like a patient under the scalpel, we have followed this development with more than a little interest. Last year, designated as Senate File 2233, the legislation cleared the Senate on a 40 to 9 vote, but stalled in the House in the press of activities relating to winding down the session.

The concept is quite simple: Iowa's state court system should be funded by the state. Currently 75 percent of that cost falls on the counties and only real property taxpayers bear this financial burden. State court financing, including expenses of indigent defense, provides property tax relief by spreading court costs over a broader, more equitable tax base. The five-year implementation of this concept would raise the judicial branch's share of the state budget from six-tenths of 1 percent to about 1½ percent. The legislation preserves and improves upon the current administration of the courts through judicial districts. This allows for necessary local control and flexibility while relieving unhealthy tensions between local taxing entities and state judicial officers.

For the first time, this legislation will attach to the judicial branch all those persons who serve that department. This includes clerks of court. Clerks shall be residents of the county but shall be appointed by majority vote of the judges in the judicial election districts who will supervise their work, just as the supreme court appoints and supervises its clerk and as you appoint and supervise your key personnel.

This concept has been perceived in some quarters as a blow against representative government. But it is not in the public interest that clerks continue to be part of the political process. The ninety-nine clerks of court are essential to the flow of cases through the judicial system, yet they are not now responsible to the judicial branch. Some clerks are lost to the election process before they develop professional management skills and gain familiarity with the court system. Others are victims of political tides that sweep them out of office regardless of their expertise and dedicated contributions to that system. Appointed clerks could be trained to assume more ministerial functions, thus freeing judges to handle more motions and trials. Appointment of these clerks by majority vote of the district judges is the administrative

centerpiece of this legislation, without which we do not believe its administrative features are either workable or acceptable. Each clerk, of course, would hire, fire and discipline deputies and other employees in his or her office.

This current bill is thick enough to scare you, but that is because it merely reenacts most of the present statutory law relating to the judicial branch, thus making it all available for the first time in one title of the code. It includes a number of salient features other than those already addressed, which we have capsulated in an appendix attached to the written message.

The bill adopted by the Senate last session would implement the administrative improvements following one year's preparation, and pick up the counties' costs over a five-year period, during which the counties' share of court-generated revenue would be transferred to the state in similar five-year installments. Last month, however, the most recent joint interim study committee, by a close vote, adopted an amendment that would phase in the state's fiscal responsibility by functional area. Under this amendment the district court would not be given administrative control of its clerks for five years, rather than one year. Transfer of court-generated revenues from counties to state would continue in five yearly steps. The committee on a 9 to 1 vote approved the proposed legislation as amended. Its recommendation that the amended bill be forwarded to the judiciary committees of the Senate and House was approved by the Legislative Council.

With all deference to the sincerity and good faith efforts of those committee members who proposed and voted for the amendment, we believe the bill adopted by the Senate in 1982 is better. The indispensable administrative changes should not be delayed for five years.

The legislation you will consider has broad support. It has the endorsement of the supreme court, the Iowa Judicial Council, the Iowa Judges Association, the Iowa Clerks of the District Court Association, the Judicial Coordinating Committee, the Iowa Juvenile Probation Officers Association, the Iowa State Bar Association, the Association of Trial Lawyers of Iowa, the Iowa Academy of Trial Lawyers and the Iowa Defense Counsel Association.

The bill you have devised that comes before you will affect components of the judicial system that essentially have not been modernized in the last hundred years. Not one of you who has a farm, business, or profession is managing it the same as you did even ten years ago. You would not dare run your operation under the management handicaps that have hamstrung the courts. If you did you would have been out of business long ago.

A critic has complained we should not meddle with the "county courts." The legislature abolished county courts in 1868, county judges in 1869. We believe this legislature will find it past time to overhaul the archaic and ineffective structure originally designed to support them. This does not mean counties should be deprived of courts. It means the courts should be better structured to serve all ninety-nine counties.

In the final analysis, access to the courts is a basic and fundamental constitutional right. Failure to match support with the pace of accelerating case loads now has

endangered this right for all Iowans. It is now time to act in the light of a great truth that John Madison best expressed in Federalist Paper No. 51:

> Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit.

Chief Justice W. W. Reynoldson was escorted from the House chamber by the committee previously appointed.

Norland of Worth moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened at 10:38 a.m., Speaker Avenson in the chair.

HOUSE RESOLUTION 3
By Rules and Administration Committee

Be It Resolved by the House of Representatives, That the permanent rules of the House for the seventieth general assembly be as follows:

DIVISION I—GENERAL RULES

Rule 1

Call to Order and Order of Business

The speaker shall take the chair at the hour to which the house has adjourned, and shall immediately call the members to order, correct the journal of the previous day's proceedings, and proceed to other business, including introduction of bills, reports, messages, communications, business pending at adjournment, resolutions and bills on their passage.

Rule 2

Quorum Call and Time of Convening

The house shall convene each Monday at 10:00 a.m. and at 9:00 a.m. on all other legislative days, unless otherwise ordered.

The speaker or a member may request a roll call to determine if a quorum is present.

Rule 3

Absences from the House

No member shall be absent while the house is in session without leave unless the member is sick or unable to attend.

Rule 4

Preservation of Order

The speaker shall preserve order and decorum and speak to points of order in preference to other members. The speaker shall decide questions of order subject to an appeal to the house by any two members which shall not be debated.

The speaker may have the chamber of the house cleared in case of any disturbance or disorderly conduct.

Only past legislators, state officials, persons whose presence is deemed by the speaker to be of special significance to the house, and school classes accompanied by teachers and

seated in the galleries shall be introduced in the house.

Rule 5

Rules of Parliamentary Practice

The rules of parliamentary practice in Mason's Manual of Legislative Procedure shall govern the house in all cases where they are not inconsistent with the standing rules of the house or the joint rules of the senate and house.

Rule 6

The Speaker Pro Tempore

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.

Rule 7

Amendment and Suspension of Rules

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, or to table or take from the table a matter, requires an affirmative vote of a constitutional majority. Postponing or changing the order of business requires an affirmative vote of a constitutional majority.

Rule 8

Violation of House Rules

Page 3

The speaker shall, or any member may, call to order a member who transgresses the rules of the house. The member called to order may be permitted with leave of the house to explain. If the case requires it, the member shall be liable to the censure of the house.

Rule 9

Referral of Rule Violations

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

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

Rule 10

Recognition and Decorum in Debate

A member who is about to speak in debate, or deliver any matter to the house, shall rise from that person's seat, raise her or his microphone and respectfully address the presiding officer, saying, "Mr. or Madam Speaker," and shall not proceed until recognized by the chair, and shall confine all remarks to the question under debate and shall avoid personalities.

Rule 11

Limit on Debate

No member shall speak more than once on the same question, without leave of the speaker, nor more than twice until every member choosing to speak has spoken, except as provided in Rule 83. A member shall be limited to ten minutes debate on a bill being considered prior to its last reading, but may be granted an extension of time by consent of the house.

Rule 12

Decorum During Debate

No member shall leave the house while the speaker is putting a question. No one shall pass between the speaker and a member who is speaking.

Page 4

Rule 13

Representatives Chairs Restricted

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

Rule 14

Stating the Question

When a motion is made, it shall be stated by the speaker. A motion made in writing shall be passed to the desk before it is debated.

Rule 15

Putting the Question

Questions shall be distinctly put in this form: "All those in favor of (the question) shall say 'aye';" and after the affirmative voice is expressed, "All those opposed to (the question) shall say 'no'." If the speaker is in doubt or a member of the house requests, a nonrecord roll call vote shall be taken.

DIVISION II—EMPLOYEES OF THE HOUSE

Rule 16

Chief Clerk of the House

The chief clerk of the house shall serve as parliamentarian and chief administrative officer of the house under the direction of the speaker of the house. The chief clerk shall supervise the chief clerk's office; be responsible for the custody and safekeeping of all bills, resolutions, and amendments filed, except when they are in the custody of a committee; have charge of the daily journal; have control of all rooms assigned for the use of the house; attest to the accuracy and correctness of text and action on bills and resolutions; process the handling of amendments when filed and during the floor consideration of bills; insert adopted amendments into bills before transmittal to the senate and prior to final enrollment; supervise legislative printing and the distribution of printed material; and perform all

other duties pertaining to the office of the chief clerk.

Rule 17

Legal Counsel

The legal counsel shall be a house employee under the direction of the speaker of the house. The legal counsel shall serve as chief legal officer of the house; supervise the legal counsel's office; approve all bills, resolutions, and amendments as to proper form prior to introduction; and provide assistance to house committees.

Rule 18

Sergeant-At-Arms

The sergeant-at-arms shall execute all orders of the house and the presiding officer; perform all assigned duties related to the policing and good order of the house; supervise the ingress and egress of all persons to and from the chamber; promptly execute all messages, etc.; provide that the hall is properly ventilated and open for the use of the members; and perform all other services pertaining to the office of sergeant-at-arms.

Rule 19

Secretaries

All secretaries of the house shall be under the general direction of the speaker and the chief clerk. Secretaries shall be on duty at the house from 8:30 a.m. to 4:30 p.m. except when excused by the member to whom the secretary is assigned. Secretaries shall perform such additional duties

as may be assigned to them by the chief clerk.

Rule 20

Extra Compensation of Employees

No employee shall receive any extra compensation, except as provided by the house, or tips for services performed while on duty. Any violation of this rule shall be grounds for removal.

DIVISION III—VISITORS AND LOBBYISTS

Rule 21

Page 6

Admission to the House; Lobbying

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

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

During a legislative day while the house is in session, and one-half hour before the house convenes and one-half hour after the house recesses or adjourns, no person shall be admitted to the floor of the house except:

1. Members of the general assembly and authorized house employees in the performance of their duties.

2. Former members of the general assembly who are not registered lobbyists.

3. A general assembly member's family who shall be restricted to the perimeter seating area only while the house is in session.

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

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

6. Chair, co-chair, and the executive secretary of a political party having members serving in the general assembly.

7. Personnel of the code editor's office, legislative service bureau, legislative fiscal bureau, and administrative rules review committee staff.

8. The governor's executive assistants and administrative assistants, members of the state executive council, the lieutenant governor, the attorney general, the citizen's aide/ombudsman, and the administrative rules coordinator,

Page 7

all of whom shall be confined to the perimeter area.

No other persons shall be allowed on the house floor without permission of the presiding officer of the house.

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

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

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

Each member, employee of the house, and registered lobbyist shall report violations of this rule immediately to the sergeant-at-arms.

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

Rule 22

Distribution of Literature

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

Page 8

Prior to distribution of all pamphlets, material, or printed literature distributed by a member of the general assembly, a copy bearing the member's signature shall be left with the sergeant-at-arms.

Rule 23

Distribution of Materials Printed by the State

A member of the house shall not distribute maps, books, and pamphlets such as, but not limited to Golden Dome, How a Bill Becomes Law, etc., which have been printed by the state of Iowa and upon which the name of the member of the house

has been affixed unless the member has purchased the materials or unless the member has afixed the words "Paid for by the citizens of Iowa and distributed by representative (member's name)."

DIVISION IV—Forms And Procedures For Bills And Other Documents

Rule 24

Documents signed by the Speaker

All acts, addresses and joint resolutions shall be signed by the speaker, and all writs, warrants, and subpoenas issued by order of the house, shall be signed by the speaker and attested by the chief clerk.

Rule 25

Presentation of Petitions

All petitions, memorials and other papers addressed to the house shall be filed and signed by the member with the chief clerk or the chief clerk's assistant.

Rule 26

Consideration of Resolutions

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

Page 9

certified copies.

Rule 27

Unanimous Consent Calendar

The speaker may, upon the request of three members, place on a unanimous consent calendar any house resolution or concurrent resolution which does not contain an appropriation and which has been laid over under Rule 26.

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

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

If the resolution is removed from the unanimous consent calendar, the speaker may again lay the resolution over under Rule 26, place it on a different calendar, or refer the resolution to any of the standing committees of the house.

Rule 28

Forms of Bills and Joint Resolutions

Every house bill shall be introduced by one or more members or by any standing or specially authorized committee of the house, the administrative rules review committee or interim study committee meeting during that general assembly. All

bills and joint resolutions introduced shall be prepared by the legislative service bureau with title, enacting clause, text and explanation as directed by the chief clerk of the house. One copy of each bill shall be presented in a bill cover with the number of copies of the bill and the title as directed by the chief clerk.

Rule 29

Joint Resolutions

Joint resolutions shall be framed and treated as bills.

Rule 30

Time of Introduction of Bills

No bill or joint resolution under individual sponsorship

Page 10

shall be read for the first time after 4:00 p.m. on Friday of the 7th week of the first regular session of the general assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time.

After adjournment of the first regular session, bills may be prefiled at any time before the convening of the second regular session. No bill or joint resolution under individual sponsorship shall be read for the first time after 4:00 p.m. on Friday of the 2nd week of the second regular session of the general assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time.

However, bills or joint resolutions sponsored by standing committees or the administrative rules review committee, co-sponsored by the majority and minority floor leaders, or companion bills sponsored by the house majority leader and the senate majority leader may be drafted and introduced at any time permissible under joint Rule 20. House and concurrent resolutions may be introduced at any time.

Rule 31

Introduction and Reading of Bills

All bills and joint resolutions to be introduced in the house shall be typed into proper form and shall be filed with the chief clerk no later than 4:30 p.m. on the legislative day preceding its introduction.

Every bill shall receive two readings but no bill shall receive its first and last readings on the same day.

A "reading of a bill" as required by these rules shall consist of a reading of the title and enacting clause unless otherwise demanded by a house member.

Rule 32

First Reading, Commitment and Amendment

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

Page 11

32.2. When the house is in session the first reading shall consist of a "reading" as is provided in Rule 31.

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

32.4. On a day when the house is not in session, the speaker shall cause a statement, which shall consist of the title, enacting clause, bill number and committee to which the bill is referred to be published in the house journal. This publication shall constitute a first reading and commitment and shall contain the notation "read and committed under Rule 32.4".

32.5. All amendments offered to bills on file or on the regular calendar shall be accompanied by such copies as the chief clerk shall direct.

32.6. Such amendments shall give the number of the bill sought to amend and the chief clerk shall designate each such amendment thus: Amendment to House File . . . . ., or Senate File . . . . . , by . . . . . .

32.7. A bill reported out by committee shall go to the speaker who shall direct that the bill be placed on the regular calendar unless it covers subject matter more properly within the jurisdiction of some other standing committee, in which case the speaker shall refer the bill to the proper standing committee.

32.8. No amendment to the rules of the house, to any resolution or bill, except technical amendments and amendments to bills substituted for by Senate Files containing substantially identical title, language, subject matter, purpose and intrasectional arrangement, shall be considered by the membership of the house without a copy of the amendment having been filed with the chief clerk by 4:00 p.m. or within one-half hour of adjournment, whichever is later, on the day

Page 12

preceding floor debate on the amendment. This provision shall not apply to any proposal debated on the floor of the house after the fourteenth week of the first session and the twelfth week of the second session. No amendment or amendment to an amendment to a bill, rule of the house, or resolution shall be considered by the membership of the house without a copy of the amendment being on the desks of the entire membership of the house prior to consideration.

Rule 33

Commitment of Appropriation and Revenue Bills

All bills to appropriate money shall be referred to the appropiations committee, and all bills pertaining to the levy,

assessment or collection of taxes shall be referred to the committee on ways and means.

Rule 34

Finance Committee

All bills approved by the appropriations or ways and means committees, and all bills dealing with the financing of public education, shall be referred to the finance committee. The finance committee may introduce bills and may refer a bill back to the committee from which the bill has been reported with a stipulation that the bill be returned to the finance committee by a time established. The bill shall be returned to the finance committee by the time established or it shall automatically be returned to the finance committee.

The finance committee shall not amend a bill until the bill has been referred back to a committee and returned, after which the bill may be amended by the finance committee. A bill originating in the finance committee is not required to be referred to the appropriations committee or the ways and means committee under Rule 33.

Rule 35

Regular Calendar

Bills reported out for passage, or amendment and passage, or without recommendation, by a committee, shall be arranged

Page 13

on a regular calendar by the chief clerk each day at 4:30 p.m. in the order of the file number of the bills and following the preceding legislative day's regular calendar. Priority shall be given to house over senate file numbers and to joint resolutions over bills in the arrangement of the regular calendar.

Rule 36

Debate Calendars

The majority floor leadership shall cause a weekly debate calendar to be prepared and distributed to the house members by the chief clerk. The weekly debate calendar shall be available by noon on the last session day of any week when floor action by the house is scheduled for the next week. Any bill, except an appropriations, ways and means or finance committee bill not listed on the weekly debate calendar shall not be considered by the house during the week covered by the weekly debate calendar.

The majority floor leadership shall cause to be prepared and distributed to the members at the opening of each session day when floor action is scheduled, a daily debate calendar consisting of bills and joint resolutions from the weekly debate calendar setting forth the number, title, and order of consideration for the next session day that floor action is scheduled.

Rule 37

Noncontroversial Calendar

The majority floor leadership may cause to be prepared a noncontroversial calendar consisting of bills and joint resolutions from the regular calendar. The noncontroversial calendar shall appear under separate heading on the regular calendar.

Notwithstanding Rule 36, a bill or joint resolution on the noncontroversial calendar may be called up for debate at any time by the majority leader beginning the third legislative day after it appears on the noncontroversial

Page 14

calendar. A bill or joint resolution shall be stricken from the noncontroversial calendar if a written objection to the bill or joint resolution is filed with the chief clerk prior to the time the bill or joint resolution is called up by the majority leader.

Debate on a bill or joint resolution from the noncontroversial calendar shall be limited to ten minutes. If debate exceeds ten minutes, the bill or joint resolution shall be stricken from the noncontroversial calendar.

Rule 38

Consideration of Committee Amendments

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

Rule 39

Amendments to Special Order Bills

All amendments, except corrective amendments, to bills special ordered more than five session days in advance of the date set for debate shall be filed at least two session days prior to the date set for debate.

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

The time limits set for the filing of amendments on specially ordered bills shall not apply to bills special ordered for less than five session days.

Rule 40

Irrelevant Amendments

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

Rule 41

Consideration of Bills

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

Page 15

upon until at least one day after the printed journal containing the report has been placed upon the desks of the members of the house.

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.

The reports of the committees shall not be read while the house is in session except as herein provided. The 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 46.

Upon an affirmative vote of at least a constitutional majority of the members, a report may be read before it is printed in the journal and while the house is in session, and acted upon at once.

Rule 42

Consideration of Bills Upon Last Reading

No amendment, unless by way of correcting an error or omission, shall be received to any bill on its last reading, and no debate shall be allowed on it.

Rule 43

Printing of Bills and Joint Resolutions

Bills and joint resolutions shall be printed in form as provided by law and by rule. Each house may direct the printing of an additional number of its own bills.

Legalizing bills of a local or private nature shall be printed in bill form and placed in the files of the members, the same as other bills, in the order of their introduction. The cost of printing shall be deposited with the treasurer of state in advance at a rate to be fixed, and the newspaper

Page 16

publication of the bill shall be without cost to the state. No legalizing act may be introduced until all provisions of law have been complied with.

Rule 44

Certification of Bills

The chief clerk shall certify the passage of each bill and note the date of its passage.

Rule 45

Rereferral

A bill may be rereferred at any time before its passage and after the report of its referral to committee. A bill

placed on the regular calendar by a committee which is later rereferred to a committee exempted from joint rule 20(1) for the remainder of the session.

Rule 46

Effect of Indefinite Postponement

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

Rule 47

Status of Bills Following First Regular Session

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

DIVISION V—COMMITTEE PROCEDURES

Rule 48

Appointment of Committees

All committees shall be appointed by the speaker, unless

otherwise especially directed by the house.

Rule 49

Order on Question of Commitment

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

Rule 50

Study Bills

A study bill is any matter which a member of the house wishes to have considered by a standing committee, other than appropriations, and which has not been included in a previously introduced bill. Upon taking possession of a study bill, the committee chair shall submit three copies of the bill to the chief clerk's office for numbering.

A study bill shall bear the name of the member who wishes to have the bill considered. A study bill submitted for committee consideration by a state agency or board shall bear the name of the state agency or board. A committee chair may submit a study bill in the name of that committee to that committee.

A study bill not prepared by the legislative service bureau may be submitted to a standing committee, but shall not be considered by the full committee unless reviewed and typed

in proper form by the legislative service bureau.

Rule 51

Committee Meetings

No committee, except a conference committee or the administrative rules review committee, shall meet while the house is in session without special leave.

Rule 52

Smoking

Smoking shall not be permitted in the house committee rooms while a committee is meeting or on the floor of the house except in the perimeter area while the house is in session.

Page 18

Rule 53

Assignments to Subcommittee

The chair of the committee shall report to the house the bill number of each bill assigned to subcommittee and the names of the subcommittee members. The report shall be printed in the journal of the last legislative day of the week in which the bill is assigned.

All bills, prior to consideration by the committee, shall be referred by the chair to a subcommittee, unless acted upon by a committee of the whole.

The chair may assign bills to subcommittees without a meeting of the committee, but the membership of the subcommittee so appointed shall be reported at the next meeting of the committee.

Rule 54

Open Meetings

Standing committee meetings shall be open, and voting by secret ballot is prohibited. The rules and administration committee may close its meetings to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation on the request of the affected individual.

Rule 55

Quorum and Vote Requirements

The committee roll shall be taken at the convening of each meeting to determine the presence of a quorum. A majority of the committee membership shall constitute a quorum.

An affirmative vote of a majority of the committee membership is required to report a bill out of committee or to suspend a committee rule.

Rule 56

Committee Attendance Record and Report of Committee Form

A committee attendance record shall be filed with the chief

Page 19

clerk no later than 10:00 a.m. of the legislative day immediately following the the day of the committee meeting. The committee attendance record is a public record and may be published in the journal. The committee attendance record shall include the following information:

a. The time the meeting convened.

b. The members present at the meeting.

c. The time the meeting adjourned.

d. A list of bills receiving final committee disposition.

A report of committee form shall be filed with the chief clerk no later than 10:00 a.m. of the legislative day immediately following the day of the committee meeting for each study bill, numbered bill or resolution receiving final committee disposition. The report of committee form is a public record and may be printed in the journal. The report of committee form shall include the following information:

a. The commitee action taken.

b. The committee amendment, if any.

c. The roll call vote of the committee on final disposition.

d. The minority recommendation, if any.

Upon final adjournment of the first session and final adjournment of the second session of the general assembly, the chair of each committee shall have placed the committee's book of record containing minutes, roll calls, rules, etc., with the chief clerk for access of any interested person.

Rule 57

Minority Recommendation

The minority of the members of a committee may present its recommendations on the final disposition of a bill to the house by attaching its recommendation to the committee report and the same shall be printed in the journal with the committee report.

Rule 58

Committee Amendment

Page 20

Whenever a committee amendment is proposed which would amend another committee amendment, the amendment shall be drafted in the form of a substitute amendment and shall be considered as such.

Rule 59

Committee Notice and Agenda

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

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

The agenda shall contain the matters to be discussed, including a list of bills, joint resolutions and study bills by number. The agenda should contain the names of individuals who are scheduled to appear before the committee and the organization which they represent.

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

A committee chair may call a meeting without providing the required notice and agenda upon leave of the house if a notice is placed on the desks of committee members and on the bulletin board.

Rule 60

Clearing of Committee Room

The chair of a committee may clear the committee room in case of any disturbance or disorderly conduct.

Rule 61

Committee Amendments

All amendments to a bill or resolution adopted in committee shall be incorporated in a single committee amendment or incorporated in a new committee bill.

Rule 62

Withdrawal of Bills From Committee

Page 21

A bill which has been in committee eighteen legislative days following notation in the journal of referral to the committee may be withdrawn from the committee and placed on the calendar by an affirmative vote of not less than fifty-one members of the house. This rule shall not apply to the committee on appropriations, the committee on ways and means, and the committee on finance.

Rule 63

Committee Hearings

The chair of a committee may call a hearing for the purpose of receiving public comment on any matter within the purview of the committee.

The chair shall call a hearing upon the written request of committee members according to committee rules, but no more than one-third of the committee members shall be required.

The chair shall designate a time and place for a hearing and provide public notice at least five days prior to a hearing.

Rule 64

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 of its committees, in two or more prior sessions of the general assembly, shall not be considered by any committee

or by the house unless it has 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 65

Organization of Committee of the Whole

In forming the committee of the whole house, the speaker shall leave the chair, and a chair to preside in committee shall be appointed by the speaker.

Rule 66

Page 22

Rules in Committee of the Whole

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

Rule 67

Bills in Committee of the Whole

Upon bills committed to the committee of the whole house, the bill shall be first read throughout by the chief clerk or chair, and then read again or debated by clauses, leaving the preamble to be last considered. After report, the bill shall be again subject to debate and amendment before a vote is had on its last reading and passage.

Rule 68

Amendments by Committee of the Whole

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

DIVISION VII—MOTIONS

Rule 69

Order and Precedence of Motions

The following order and precedence of motions shall govern when a question is under debate:

13. Adjourn.
12. Recess.
11. Questions of privilege.
10. Lay on the table.
9. Previous question.
8. Postpone definitely or to a certain time.
7. Refer or commit.
6. Defer.
5. Strike the enacting words.
4. Amend an amendment.
3. Amend (by committee).
2. Amend.
1. Postpone indefinitely.

These motions are listed in descending order of

Page 23

precedence.

A motion to postpone definitely or to a certain time, to refer or commit, or to postpone indefinitely a particular question shall not be considered more than once on the same day.

Adoption of a motion to strike the enacting words is equivalent to rejection of the question.

Rule 70

Order of Consideration of Amendments

Amendments shall be considered by earliest position in the bill. Amendments to the same place in the bill shall be considered by the lowest amendment number. An amendment which inserts language after a line and an amendment which inserts language before the succeeding line shall be considered amendments to the same place in the bill.

However, an amendment to strike text, or to strike out and insert new text, shall not be considered before amendments to perfect all or part of the same text only.

Rule 71

Motions Not Debatable

The motions to lay on the table, to adjourn, for the previous question, and appeals of a ruling of the presiding officer shall be decided without debate.

Rule 72

Motion to Adjourn

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

Rule 73

Withdrawal of Motions

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

Rule 74

Referral and Rereferral

Motions and reports may be referred and rereferred at the pleasure of the house.

Page 24

Rule 75

Reconsideration

a. A motion to reconsider may be made only by a member who voted on the prevailing side of the question sought to be reconsidered.

b. A motion to reconsider may be made not later than adjournment on the day following the day of the action sought to be reconsidered. Where the floor manager voted on the prevailing side, he or she has the prior right to make the motion, until adjournment on the day of the action sought to be reconsidered.

c. A motion to reconsider made following the one hundred fourteenth calendar day of the first regular session, or the ninety-fourth calendar day of the second regular session, shall be taken up when made. A motion made at any other time may be taken up prior to the third day succeeding the day of the action sought to be reconsidered only if called up by the mover, and after the second day succeeding the day of the action sought to be reconsidered if called up by any member.

d. The making of a motion to reconsider takes precedence over all other questions.

e. No motion to reconsider passage or adoption, or failure, of any bill or joint resolution, shall prevail unless it shall obtain a constitutional majority. Where passage, adoption or failure is reconsidered, questions on amendments may then be reconsidered, and shall be disposed of without delay.

f. A motion that the motion to reconsider be laid on the table is in order. The effect of laying the motion to reconsider on the table is to cause the bill or joint resolution to proceed on its regular course immediately.

DIVISION VIII—VOTING

Rule 76

Manner of Voting

Upon direction of the speaker or upon request of two members

Page 25

during the taking of the vote of the house on any question only those members at their desks and voting shall be counted except:

a. Members who have not voted may record their votes on any record roll call vote within ten minutes after the vote has been announced, providing the vote does not change the outcome of the vote on that question. A member may request announcement of the names of members so recorded after the ten-minute period.

b. 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.

Rule 77

Duty of Voting

Except as limited by Rule 76, every member who shall be in the house when the question is put shall vote, unless the house for special reasons shall excuse that person; but such member must ask to be excused before commencing to take a vote on the main question.

Rule 78

Limitation on Right to Vote

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

Rule 79

Call of the House

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

A call of the house shall specify the propositions to which it is to apply, and must be put into effect before roll call is taken on the proposition. The request may be filed at any time before final action upon the propositions with the

chief clerk, who shall notify the house immediately.

Rule 80

Method of Calling the House

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

Rule 81

Method of Calling the Roll

The electrical voting machine shall be used upon a call of the house, a quorum call or a roll call vote on any question. If the electrical voting machine is not in operating order when it is necessary to take a record roll call vote, the presiding officer shall order the vote to be taken by calling the roll in alphabetical order, except that the name of the speaker of the house shall be called last.

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

Rule 82

Quorum and Record Roll Call Votes

A majority of the members shall constitute a quorum.

A record roll call vote shall be ordered upon request of any two members. The names of the members requesting the record roll call shall be entered in the journal.

Rule 83

Previous Question

When a member moves for a previous question, that member

Page 27

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 amendment is taken.

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 84

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 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 30.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend House Rules 9, 30 and 36.8, relating to the filing of amendments and to consider House Resolution 3 on Thursday, January 20, 1983.

COMMUNICATIONS RECEIVED

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

BOARD OF REGENTS

A copy of the State Board of Regents Ten-Year Building Program, 1983-1993, pursuant to Chapter 262A.3, Code of Iowa.

DEPARTMENT OF SOCIAL SERVICES

An executive summary of a study developed pursuant to Chapter 1102, 1982 Session of the Sixty-ninth General Assembly.

DEPARTMENT OF TRANSPORTATION

The 1982 report on the State Aircraft Pool, pursuant to Section 328.56(5), Code of Iowa.

The Iowa Department of Transportation's Five-Year Improvement Program, pursuant to Chapter 307A.2(2), Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 23 Education

Terminating free and appropriate public education for children requiring special education at age twenty-one.

S.B. 24 Education

Relating to the consolidation of certain special education categories.

S.B. 25 Education

Relating to the costs of certain services provided by an area education agency and requested by a local board of education.

S.B. 26 Education

Relating to the amount of land owned by a merged area.

S.B. 27 Education

Permitting the area education agency in which a child resides to obtain a review of an action or omission relating to special education programs by state or local authorities.

S.B. 28 Education

Authorizing merged areas to acquire and operate student residence halls, including dining and other incidental facilities, and to finance the cost with revenue bonds.

S.B. 29 Local Government

Providing for an administrative fee to be retained by the county recorder from trapping, fishing, and hunting license revenue.

S.B. 30 Transportation

Relating to the allowable speed of school buses.

S.B. 31 Transportation

To authorize emergency repairs on primary roads with the approval of the transportation commission and the executive council.

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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON RULES AND ADMINISTRATION

A resolution, proposing House Rules for the Seventieth General Assembly.

Fiscal Note is not required.

Recommended **Do Pass.**

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly Study Bill 6), to correct chapter 1156 of the laws of the general assembly, 1982 session, to authorize a mortgage lender to collect a loan processing fee not exceeding two percent of the principal on a new loan, or the lesser of actual processing costs or one percent of loan principal on a refinancing or assumption.

Fiscal Note is not required.

Recommended **Amend and Do Pass.**

AMENDMENTS FILED

H–3020	H.R. 3	Schroeder of Pottawattamie
H–3021	H.R. 3	Halvorson of Webster
H–3022	H.R. 3	Stromer of Hancock
Harbor of Mills		Halvorson of Clayton
Menke of O'Brien		Swearingen of Keokuk
Carpenter of Polk		Diemer of Black Hawk
		De Groot of Lyon
H–3023	H.R. 3	Carpenter of Polk
Swearingen of Keokuk		Harbor of Mills
Halvorson of Clayton		McIntee of Black Hawk
Diemer of Black Hawk		De Groot of Lyon
		Clark of Cerro Gordo
H–3024	H.R. 3	Schroeder of Pottawattamie
Diemer of Black Hawk		Clark of Cerro Gordo
Menke of O'Brien		De Groot of Lyon
Stromer of Hancock		Harbor of Mills
H–3025	H.R. 3	Schroeder of Pottawattamie
		Diemer of Black Hawk
		Menke of O'Brien
		De Groot of Lyon
		Harbor of Mills
		Clark of Cerro Gordo
H–3026	H.R. 3	Halvorson of Clayton
Harbor of Mills		Menke of O'Brien
Swearingen of Keokuk		Carpenter of Polk
Diemer of Black Hawk		De Groot of Lyon
		Schroeder of Pottawattamie
H–3027	H.R. 3	Harbor of Mills
		Diemer of Black Hawk
		De Groot of Lyon
		Pellett of Cass
		Schroeder of Pottawattamie
H–3028	H.R. 3	Harbor of Mills
Stromer of Hancock		Halvorson of Clayton
Menke of O'Brien		Swearingen of Keokuk
Diemer of Black Hawk		De Groot of Lyon
Clark of Cerro Gordo		Schroeder of Pottawattamie

H—3029	H.R.	3	Fey of Scott
H—3030	H.R.	3	Fey of Scott

On motion by Norland of Worth, the House adjourned at 10:43 a.m., until 9:00 a.m., Thursday, January 20, 1983.

JOURNAL OF THE HOUSE

Eleventh Calendar Day — Ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 20, 1983

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

Prayer was offered by Father Joseph Pound, former Chaplain of St. Mary's Parish, Wapello.

The Journal of Wednesday, January 19, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, Newton.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

McIntee of Black Hawk, for January 20 and 21, 1983, on request of Halvorson of Clayton.

PRESENTATION OF VISITOR

Harbor of Mills presented to the House the Honorable Jim O. Henry, former member of the House representing Pottawattamie County.

INTRODUCTION OF BILLS

House File 67, by committee on small business and commerce, a bill for an act to correct chapter 1156 of the laws of the general assembly, 1982 Session, to authorize a mortgage lender to collect a loan processing fee not exceeding two percent of the principal on a new loan, or the lesser of actual processing costs or one percent of loan principal on a refinancing or assumption.

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

House File 68, by committee on local government, a bill for an act relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, by providing that mobile homes are subject to security interests in the same manner as other vehicles subject to registration, and making certain provisions of the Act retroactive.

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

House File 69, by Chapman, a bill for an act relating to the refund of state sales, services, and use tax paid by contractors upon goods, wares, or merchandise or from services rendered, furnished, or performed to a contractor used in the performance of a contract for the state, a political subdivision, or an instrumentality of the state or a political subdivision, and making the bill retroactive.

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

House File 70, by Poncy, a bill for an act requiring children under the age of five being transported in cars or pickups to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective date.

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

House File 71, by Chapman, a bill for an act relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction.

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

House File 72, by Arnould, a bill for an act requiring the licensing of adult day care centers and providing a penalty.

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

House File 73, by Diemer, Handorf, Lageschulte, Cooper, Grandia, Royer, Van Gerpen, Swearingen, Van Camp, Van Maanen, Hammond, McIntee, Stueland, Schnekloth, De Groot, O'Kane and Sturgeon, a bill for an act relating to state mandates imposed on political subdivisions of the state.

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

House File 74, by Brammer, a bill for an act relating to visitation at state correctional institutions by certain public officials and leaders of a religious community.

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

House File 75, by Branstad and Pellett, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years.

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

House File 76, by Schnekloth, a bill for an act relating to the valuation of agricultural and residential property and making the Act effective January 1 following enactment.

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

House File 77, by Connors, a bill for an act relating to the scope of negotiations in collective bargaining.

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

House File 78, by Poncy, a bill for an act to provide for alternate ways of meeting school year requirements.

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

The House recessed at 9:17 a.m., until the fall of the gavel.

The House resumed session at 11:43 a.m., Speaker Avenson in the chair.

CONSIDERATION OF HOUSE RESOLUTION 3

Fey of Scott called up for consideration House Resolution 3, a resolution relating to the permanent rules of the House for the Seventieth General Assembly, filed on January 19, 1983 and found of pages 164 through 184 of the House Journal.

(House Resolution 3 pending at recess.)

On motion by Norland of Worth, the House was recessed at 11:55 a.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

ADOPTION OF HOUSE RESOLUTION 3

The House resumed consideration of House Resolution 3, a resolution relating to the permanent rules of the House for the Seventieth General Assembly, filed on January 19, 1983 and found on pages 164 through 184 of the House Journal.

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.

Harbor of Mills offered the following amendment H—3027 filed by Harbor, et al.:.

H—3027

Amend House Resolution 3 as follows:

1. Page 1, by inserting after line 13 the following:

"Rule ____

Time of Adjournment

The House shall adjourn no later than 10:00 p.m. each day without the consent of a constitutional majority of the members of the House."

2. By renumbering as necessary.

Menke of O'Brien offered the following amendment H—3031, to amendment H—3027, filed by Menke, Maulsby, De Groot, Swearingen, Diemer, Hermann and Mullins from the floor and moved its adoption:

H—3031

Amend amendment H—3027 to House Resolution 3 as follows:

1. Page 1, line 6 by striking the numerals "10:00" and inserting in lieu thereof the numerals "6:00".

Roll call was requested by Menke of O'Brien and Halvorson of Clayton.

On the question "Shall amendment H—3031, to amendment H—3027, be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Krewson	Lageschulte	Maulsby	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Spear	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 2:

Hummel McIntee

Amendment H—3031 lost.

Harbor of Mills moved the adoption of amendment H—3027.

Amendment H—3027 lost.

Harbor of Mills offered the following amendment H—3028 filed by Harbor, et al., and moved its adoption:

H—3028

Amend House Resolution 3 as follows:
1. Page 2, line 30, by striking the words "a constitutional majority" and inserting in lieu thereof the words "fifty-five members".
2. Page 2, line 32, by striking the words "a constitutional majority" and inserting in lieu thereof the words "fifty-five members".

Amendment H—3028 lost.

Doderer of Johnson offered the following amendment H—3033 filed by her from the floor and moved its adoption:

H—3033

Amend House Resolution 3 as follows:
1. Page 3, by striking lines 18 and 19 and inserting in lieu thereof the following: "matter to the house, shall stand, raise the microphone and respectfully address the presiding".

Amendment H—3033 was adopted.

Action on amendment H—3034 was temporarily deferred.

Halvorson of Clayton offered the following amendment H—3026 filed by Halvorson, et al., and moved its adoption:

H—3026

Amend House Resolution 3 as follows:
1. Page 3, by inserting after line 35 the following:

"Rule _____
Food Prohibited
All food is prohibited from the house chamber while the house is in session."
2. By renumbering as necessary.

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall amendment H—3026 be adopted?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Lageschulte	Maulsby	McKean	Menke
Mullins	Osterberg	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 3:

Hummel	Krewson	McIntee

Amendment H—3026 lost.

Stromer of Hancock offered the following amendment H—3034 filed by Stromer, Harbor, Hoffmann-Bright, McKean, Mullins,

Lageschulte, Stueland and Rensink from the floor and moved its adoption:

H–3034

Amend House Resolution 3 as follows:
1. Page 3, by striking lines 17 through 22 and inserting in lieu thereof the following:
"A member who wishes to speak in debate or deliver any matter to the house, shall raise the microphone and, after recognition by the chair, shall respectfully address the presiding officer by saying "Mr. or Madam Speaker", shall confine all remarks to the question under debate and shall avoid personalities."

Amendment H–3034 was adopted, placing out of order amendment H–3033 previously adopted.

Halvorson of Webster offered the following amendment H–3021 filed by him and moved its adoption:

H–3021

Amend House Resolution 3 as follows:
1. Page 4, by striking lines 1 through 5.

A non-record roll call was requested.

The ayes were 55, nays 40.

Amendment H–3021 was adopted.

Schroeder of Pottawattamie offered the following amendment H–3020 filed by him and moved its adoption:

H–3020

Amend House Resolution 3 as follows:
1. Page 8, by striking lines 27 and 28 and inserting in lieu thereof the following:
"the house shall be signed by the member and filed with the chief clerk or the chief clerk's staff."

Amendment H–3020 was adopted.

Speaker pro tempore Connors of Polk in the chair at 2:42 p.m.

Schroeder of Pottawattamie offered the following amendment H–3024 filed by Schroeder, et al., and moved its adoption:

H–3024

Amend House Resolution 3 as follows:
1. Page 12, by striking lines 18 and 19 and inserting in lieu thereof the following: "committees shall be referred to the finance committee. The".

Roll call was requested by Tofte of Winneshiek and De Groot of Lyon.

On the question "Shall amendment H–3024 be adopted?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Krewson	Lageschulte	Maulsby	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 58:

Arnould	Avenson	Baxter	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker (Connors)		

Absent or not voting, 4:

Black	Chiodo	Hummel	McIntee

Amendment H–3024 lost.

Fey of Scott offered the following amendment H—3029 filed by him:

H—3029

Amend House Resolution 3 as follows:

1. Page 13, line 23, by inserting after the word "consideration" the words "of bills".

2. Page 14, line 12, by inserting a comma after the word "back".

3. Page 16, by striking lines 11 through 14 and inserting in lieu thereof the words "and after the report of its referral to committee."

4. Page 17, line 4, by inserting after the word "motion" the word "made".

5. Page 19, line 2, by striking the words "the the" and inserting in lieu thereof the word "the".

6. Page 21, by striking lines 33 and 34 and inserting in lieu thereof the following: "shall leave the chair, and the speaker shall appoint a member to preside in committee."

7. Page 25, line 1, by inserting a comma after the word "question".

Fey of Scott offered the following amendment H—3037, to amendment H—3029, filed by him from the floor and moved its adoption:

H—3037

Amend amendment H—3029 to House Resolution 3 as follows:

1. Page 1, line 3, by inserting after the word "bills" the words "and joint resolutions".

Amendment H—3037 was adopted.

On motion by Fey of Scott, amendment H—3029, as amended, was adopted.

Speaker Avenson in the chair at 2:58 p.m.

Connors of Polk offered amendment H—3036 filed by him from the floor and requested division as follows:

H—3036

Amend House Resolution 3 as follows:

H–3036A

1. Page 17, line 14, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
2. Page 17, line 19, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
3. Page 18, line 3, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
4. Page 18, line 9, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
5. Page 18, line 11, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
6. Page 19, line 24, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
7. Page 20, line 21, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
8. Page 20, line 27, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
9. Page 21, line 10, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
10. Page 21, line 13, by striking the word "chair" and inserting in lieu thereof the word "chairperson".
11. Page 21, line 16, by striking the word "chair" and inserting in lieu thereof the word "chairperson".

H–3036B

12. Page 21, line 33, by striking the words "and a chair" and inserting in lieu thereof the words "and a chairperson".

H–3036A

13. Page 22, line 8, by striking the word "chair" and inserting in lieu thereof the word "chairperson".

Connors of Polk moved the adoption of amendment H–3036A.

Amendment H–3036A lost.

Connors of Polk asked and received unanimous consent to withdraw amendment H–3036B.

Carpenter of Polk offered the following amendment H–3023 filed by Carpenter, et al., and moved its adoption:

H–3023

Amend House Resolution 3 as follows:

1. Page 19, by inserting after line 5 the following:

"a. The time the meeting was scheduled to convene."

2. By relettering as necessary.

A non-record roll call was requested.

The ayes were 38, nays 60.

Amendment H—3023 lost.

Stromer of Hancock offered the following amendment H—3022 filed by Stromer, et al.:

H—3022

Amend House Resolution 3 as follows:

1. Page 21, by inserting after line 15 the following:

"The chair shall call a hearing upon the written request of any ten members of the house if said request is made prior to the subject bill appearing on the daily debate calendar."

Speaker pro tempore Connors of Polk in the chair at 3:18 p.m.

Stromer of Hancock moved the adoption of amendment H—3022.

A non-record roll call was requested.

The ayes were 38, nays 56.

Amendment H—3022 lost.

Schroeder of Pottawattamie offered the following amendment H—3025 filed by him:

H—3025

Amend House Resolution 3 as follows:

1. Page 22, by striking lines 22 through 34 and inserting in lieu thereof the following:

"1. Adjourn.

2. Recess.

3. Questions of privilege.
4. Lay on the table.
5. Previous question.
6. Postpone definitely or to a certain time.
7. Refer or commit.
8. Defer.
9. Strike the enacting clause.
10. Committee amendment.
11. Individual amendments as they appear in the bill.

An amendment to strike everything after the enacting clause and insert will be called up first, followed by perfecting amendments, then striking amendments.

12. Postpone indefinitely."

Speaker Avenson in the chair at 3:24 p.m.

PRESENTATION OF VISITOR

Norland of Worth presented to the House the Honorable Jim West, former member of the House representing Marshall County.

Schroeder of Pottawattamie offered the following amendment H—3032, to amendment H—3025, filed by him from the floor and moved its adoption:

H—3032

Amend amendment H—3025 to House Resolution 3 as follows:
1. Page 1, by inserting after line 20 the following:
" . Page 23, by striking lines 15, 16 and 17."

Amendment H—3032 was adopted.

Schroeder of Pottawattamie moved the adoption of amendment H—3025, as amended.

A non-record roll call was requested.

The ayes were 37, nays 57.

Amendment H—3025, as amended, lost.

Fey of Scott asked and received unanimous consent to withdraw amendment H—3030 filed by him on January 19, 1983.

Cochran of Webster offered the following amendment H—3040 filed by him from the floor and moved its adoption:

H—3040

Amend House Resolution 3 as follows:
1. Page 22, by striking line 30.
2. Page 22, by striking line 32.
3. Page 23, by striking lines 15 through 17 and inserting in lieu thereof the following:
"However, an amendment to strike the enacting clause shall always be considered first. An amendment filed by a committee shall have the next highest priority of consideration, followed by an amendment to strike everything after the enacting clause and insert new text. An amendment to strike text or to strike out and insert new text, except an amendment to strike everything after the enacting clause and insert new text, shall not be considered before amendments to perfect all or part of the same text only."

Amendment H—3040 was adopted.

Spear of Lee offered the following amendment H—3038 filed by him from the floor and moved its adoption:

H—3038

Amend House Resolution 3 as follows:
1. Page 25, line 5, by inserting after the words "call vote" the words "except quorum calls".

Amendment H—3038 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3039 filed by him from the floor and moved its adoption:

H—3039

Amendment House Resolution 3 as follows:
1. Page 25, by striking line 7 and inserting in lieu thereof the following: "outcome of the vote on that question. The speaker shall make an".

Amendment H—3039 lost.

Harbor of Mills offered the following amendment H–3035 filed by Harbor, Menke, Swearingen, Carpenter, Halvorson of Clayton, Welden, Pellett, Branstad and Diemer from the floor:

H–3035

Amend House Resolution 3 as follows:
1. Page 25, by striking lines 3 through 10 and inserting in lieu thereof the following: "except members meeting in a conference committee or in".

Davitt of Warren in the chair at 3:51 p.m.

Speaker Avenson in the chair at 4:20 p.m.

Harbor of Mills moved the adoption of amendment H–3035.

A non-record roll call was requested.

The ayes were 36, nays 58.

Amendment H–3035 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth, for the remainder of the day, on request of McKean of Jones.

Schroeder of Pottawattamie offered the following amendment H–3041 filed by him from the floor and moved its adoption:

H–3041

Amend House Resolution 3 as follows:
1. Page 1, by inserting after line 13 the following:
"Rule _____
Time of Adjournment
The house shall adjourn no later than 6:00 p.m., except on Thursdays, on which day adjournment shall be no later than 10:00 p.m., without the consent of a constitutional majority of the members of the house."

Roll call was requested by Schroeder of Pottawattamie and Tofte of Winneshiek.

On the question "Shall amendment H—3041 be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Krewson	Maulsby	McKean	Menke
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 4:

Hummel	McIntee	Mullins	O'Kane

Amendment H—3041 lost.

Fey of Scott moved the adoption of the resolution, as amended.

Roll call was requested by Harbor of Mills and Stromer of Hancock.

On the question "Shall the resolution, as amended, be adopted?" (HR 3)

The ayes were, 66:

Arnould	Baxter	Black	Blanshan

Brammer	Branstad	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Menke
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Van Camp	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 27:

Anderson	Bennett	Carpenter	Clark
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Hanson	Harbor	Hermann
Hoffmann-Bright	Lageschulte	Maulsby	McKean
Paulin	Renken	Royer	Schnekloth
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Maanen	Welden	

Absent or not voting, 7:

Daggett	Handorf	Hummel	Krewson
McIntee	Mullins	Schroeder	

The motion prevailed and the resolution, as amended, was adopted.

MOTION TO RECONSIDER
(House Resolution 3)

I move to reconsider the vote by which House Resolution 3 passed the House on January 20, 1983.

MENKE of O'Brien

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, January 20, 1983. Had I been present, I would have voted "nay" on House Resolution 3, as amended.

SCHROEDER of Pottawattamie

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF SOCIAL SERVICES

A report of a study relating to elderly independent group homes, pursuant to Chapter 1102, 1982 Session Laws.

MERIT EMPLOYMENT DEPARTMENT

1982 Annual Report, pursuant to Chapter 19A, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 32 Human Resources

Relating to agreements entered into between doctors and hospitals in the provision of pathology and radiology services.

S.B. 33 Human Resources

Permitting a hospital service corporation to contract with an ambulatory surgical facility for surgical services.

S.B. 34 Human Resources

Relating to the membership of the board of directors of nonprofit hospital service corporations, nonprofit medical service corporations and nonprofit pharmaceutical or optometric service corporations.

S.B. 35 Human Resources

Relating to the creation of a health data commission, its purposes, membership, powers, duties, and other related areas, and providing a penalty.

S.B. 36 Human Resources

Relating to the creation of the Iowa department of corrections, prescribing its powers and duties, appropriating moneys, and providing penalties.

AMENDMENT FILED

H—3042 H.F. 67 Chiodo of Polk

On motion by Norland of Worth, the House adjourned at 4:37 p.m., until 9:00 a.m., Friday, January 21, 1983.

JOURNAL OF THE HOUSE

Twelfth Calendar Day—Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, January 21, 1983

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

Prayer was offered by the Reverend John Bates, pastor of the Eden Presbyterian Church, Rudd.

The Journal of Thursday, January 20, 1983 was approved.

The House stood at ease at 9:05 a.m., until the fall of the gavel.

The House resumed session at 9:40 a.m., Speaker Avenson in the chair.

COMMITTEE TO NOTIFY THE SENATE

Davitt of Warren 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: Davitt of Warren, Peick of Linn and Grandia of Marion.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Davitt of Warren, 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 Parliamentarian of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Parliamentarian 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 Anderson presiding.

Senator Junkins of Lee 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 Anderson announced a quorum present and the joint convention duly organized.

Senator Junkins of Lee moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor Terry E. Branstad that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee: Senators Priebe of Kossuth, Gratias of Floyd and Palmer of Polk, on the part of the Senate, and Representatives Gruhn of Dickinson, Harbor of Mills and Poncy of Wapello, on the part of the House.

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

Mrs. Chris Branstad and her father, Richard Johnson, were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

President Anderson then presented Governor Terry E. Branstad who delivered the following budget message:

Mr. President, Mr. Speaker, Mr. Chief Justice, Justices and Judges, State Officials, Senators and Representatives, Guests, and Friends:

Just one week ago, I stood before you and the people of Iowa and swore to uphold the Constitution of this state — an oath almost identical to the one taken by each of you.

A strong and significant pillar in Iowa's Constitution is the section requiring a general fund balance. All of us have reason to be grateful for the foresight and wisdom of the pioneer Iowans who signed their names to that document in 1857.

This morning, I am presenting the Governor's Budget for fiscal years 1984 and 1985. This budget meets the test of Iowa's Constitution — it is a balanced budget.

This budget also meets another test — the test of whether we thoughtfully and carefully provide for the people of this state. When times are tough, people turn to government, not away from government.

The preparation of this budget was deliberate. Data was checked and double-checked. Assumptions were considered and reconsidered. Decisions were evaluated and re-evaluated. The end result, I believe, is a budget that is realistic. . . . a budget which I ask you to support.

This message comes in the midst of the most difficult economic time for our country since the Great Depression. America's economic engine has been idling far too long. Too many men and women have lost their jobs. Too many productive Iowans have been forced to put their tools away and wait out the recession. Too many farmers have not recovered from the grain embargo and many are struggling to survive.

For three straight years, state government has felt the effect of the national recession. Revenues have fallen short of forecasts and we have also absorbed the impact of cuts in federal dollars.

Here in Iowa, we have shown how state government can cope when times get tough. We have pushed hard for greater efficiency in government. We have reduced hiring, purchasing and travel. We have delayed some projects and curtailed others. We have cut budgets selectively and across-the-board. We have cinched up our belts the same way businesses and families do when there isn't enough money to go around.

Those decisions were difficult, but they were right. The question we now face is this — what about tomorrow? What is the best course of action for us to take?

We should begin with the facts.

The Comptroller forecasts that this fiscal year will end with a minimal balance in the state treasury — but only if you act on the deferrals, reversions and cash management changes endorsed by Governor Ray. These adjustments are needed and I ask you to approve them promptly. However, there is a limit to the number of one-time measures we can use to balance our budget. And, as the Comptroller said last month, we are near that limit.

While Ronald Mosher was developing his revenue projections for the next two years, I held three weeks of public budget hearings. I heard from state agencies and from Iowa's citizens about the needs that we have as a people.

Since those hearings, I have had to reconcile the Comptroller's revenue projections with this state's needs. This has led to the most difficult decision I have ever had to make in public life.

I was elected to a position of leadership in this state, and I intend to lead. One of the expectations of a leader is that he or she be willing to take a stand, adhere to it, defend it and work for it. That is what I will do throughout this administration. That is what I am doing today.

For years I have said raising a tax should be a last resort. I believe that is where we are today.

The alternatives are unacceptable.
We must not abandon job incentives.
We must not increase property taxes.
We must not deny Iowans basic services.
We must not renege on our commitment to education.

We have come too far, we've worked too long, to slip backwards. And, we will not slip backwards.

As I stated in my Inaugural Address, this administration will squarely meet the needs of Iowa's people.

So I ask you, Democrats and Republicans, to stand with me and support a one-cent increase in Iowa's sales and use tax.

The additional revenue from this change will help us accomplish four critical goals:

First — Create jobs for Iowans

Second — Provide property tax relief

Third — Meet human needs

Fourth — Maintain excellence in education

This money will not be plowed into increased operating expenses for state agencies. Let me repeat, these dollars will not be used to inflate agency budgets. They will be used principally for the four objectives I have targeted. Let's look at each one:

* First — Creating more construction will put unemployed Iowans back to work. So, I insist that a significant portion — $70 million for the biennium — be used for one-time capital expenditures.

This action creates jobs.

This action allows us to take advantage of lower bids and gives us added flexibility if the economy gets worse.

This action will move us ahead with several major projects, such as:

* Full funding for the soil conservation cost-share request — plus, a new interest-free soil conservation loan program

* Almost $14 million in important projects at our state universities

* Weatherization of state buildings — which will quickly save energy and tax dollars

* Completion of the Saylorville Greenbelt and other conservation projects

* Continued restoration of the State Capitol

* Construction of a new Historical Building, National Guard armories and work on the State Fairgrounds

With this revenue, we can begin a $10 million Community Development loan program which will give Iowa cities a real boost in realizing their economic potential. We can increase our commitment to industrial start-up job training. And, we can allocate $1.3 million to assist workers who have lost jobs where factories have closed.

Some of this revenue should be used to show we mean business when we talk about high tech. I propose we provide up to $2 million for high technology and agricultural research grants, along with funds to open an Asian office of the Development Commission.

All of these mean more jobs for Iowans — some now, some later — all of them important to the growth of this state.

* Second — A priority goal of mine is to channel much of the sales tax revenue into property tax relief — to further ease the burden of property taxes on Iowans. With this revenue, we can move to the 78 percent Foundation level in the School Aid Formula next year, and to the full 80 percent level the year after that. The result is $56 million on local property tax relief.

We can continue to phase out the personal property tax, expand the elderly tax credit, and begin to assume centralized court funding, as suggested by Chief Justice Reynoldson in his message to you.

* Third — I expect a portion of this revenue to go directly to Iowans who need our aid during these difficult times. Increases in the AFDC standard of need and payment levels have been delayed for three years and are overdue. My budget also includes more support for Medicaid, nursing home reimbursements, and homemaker and chore services to help older Iowans remain in their homes. And, there is funding in my budget for the Unemployed Parent program with its new Workfare provision.

* Fourth — This new revenue will make it possible for the state to meet its commitment to local schools next year. And, we are providing an additional $50 million in the second year by increasing the allowable growth in local school budgets.

We will also establish special incentive programs for teaching math and science while encouraging foreign language instruction, as I highlighted in my Inaugural Address.

Added revenues will further be used to substantially increase Tuition Grants, a program that will help us close the tuition gap between private colleges and state universities. This budget also eases the pressure of higher enrollments at those universities and increases vocational-technical grants at our Area Colleges.

These then are the four major advantages of this revenue measure: more jobs, property tax relief, aid to the needy and support for education.

This proposal is simply one-cent across the board, with no new exemptions. Since Iowa already exempts food and drugs from the sales tax, we are not taxing or adding taxes to these necessities.

Presently, our three-cent sales tax is lower than any bordering state. A four-cent sales tax will not put this state at a competitive disadvantage.

By making this change effective for the last quarter of the current fiscal year, we will collect a $39 million reserve. This is an important step toward a workable balance that will enable us to pay our bills on time again. It is imperative that you not spend this reserve.

This budget leaves a $50 million balance on June 30, 1984 and an $80 million balance on June 30, 1985, the end of the biennium.

I recognize there will be political fallout from recommending this change in the sales tax. But my feeling is this: While I've been told it would be good politics to sit back and wait for a tax bill to come to my desk, that would not be good government.

I am not sitting back. I am not waiting. I am giving you a plan that is eminently fair. It is realistic. It deserves your support, and your votes.

* * * * *

The budget I am outlining today obviously does not meet every need or take care of every concern. Government cannot do everything for everybody — nor should it. I have cut over $200 million from state agency askings. Yet, we are still able to be progressive and ambitious. For example: I call for greater promotion of Iowa as "a place to grow" for business and industry, and as a place to go for family vacations.

The legislative initiatives I made public on Tuesday included several proposals to deter crime and deal with those who are caught, convicted and incarcerated for committing crimes.

This morning, I want to augment those ideas with others. Yes, they have a cost. But is it possible to put a price tag on people's safety? I think not.

This budget provides space for 464 more inmates at Mt. Pleasant and Oakdale. It puts over a million dollars more each year into community-based corrections.

This budget includes other priorities. Export promotion and support for small producers of grain alcohol are a couple. We are continuing state contributions to railroad branchline improvements. And, we are picking up lost federal funds for Iowa Public Television.

During these difficult times, it is especially important to offer young people the opportunity to share experiences they might otherwise be denied. So we are expanding the "Artists in the Schools" program though the Iowa Arts Council.

* * * * *

The budget I present to you today offers tax credits in three new areas: for investing in an Iowa Fund for venture capital, for developing high technology and for installing solar hot water heaters.

This budget significantly strengthens Iowa's minimum income tax, so that wealthy Iowans do not escape paying their fair share. We also adjust most of Iowa's tax code to conform with new federal laws. And, we continue the cigarette tax which is now scheduled to expire.

Two other points are worthy of your attention.

First: Additional funds will be provided to cities, counties and the state to repair more roads and bridges. The sales and use tax change will bring $17.5 million into the Road Use Tax Fund. And, adjusting the gasohol tax will bring in more than $4 million.

Second: We can break ground for new construction at all three state university campuses by authorizing Board of Regents revenue bonds. We should build a new Law School at the University of Iowa... a new Agronomy Building at Iowa State... and a new Communication-Arts Building at U.N.I.

Along with the addition to University Hospitals, these projects total over $80 million — a shot-in-the-arm creating thousands of new construction jobs, in addition to what I have already proposed.

* * * * *

Back in 1931, during the Great Depression, Governor Dan Turner stated in his Inaugural Address, "Whatever else we do, let us have economy." His words have special meaning for us today.

The Task Force I mentioned in my Inaugural Address — the Task Force to improve government economy and efficiency — will be an ally for the taxpayers, on the forefront every day seeking new savings and cost reductions. It is important that government operations not be permitted to balloon.

* * * * *

This morning, I ask you to look ahead and consider what this budget will do for Iowans over the next two years.

This budget responds to a multitude of human needs — from infant safety to college tuition grants and job training, to mental health and substance abuse, to hot meals for senior citizens. . . and a lot in between.

This is a good budget. It is fair. It is right for this state in the mid 1980's.

In closing, I ask you to do three things:

First, I ask you to keep your perspective. Try to appreciate how much better off we are here than in most other states. And, be mindful that further reductions in federal aid are a distinct possibility during the next two years.

Second, I ask you to share my firm conviction that the state should not push the pain of federal cuts onto cities and counties. We can be a cushion — a buffer. And, by so doing, we can help protect people from increased property taxes.

Third, I ask you to think seriously about our purpose for being here.

We are here to help Iowans find jobs.

We are here to maintain the infrastructure of this state.

We are here to lessen the burden of property taxes, while, at the same time, making sure other taxes are fair.

We are here to care for Iowans who cannot look out for themselves.

We are here to keep Iowa Number One in education.

And yes, we are here to provide good government and good service to Iowans accustomed to both.

We have a long and demanding agenda. Completing that agenda and conquering obstacles along the way are challenges we face together in 1983. I believe we are up to them.

Let's roll up our sleeves and go to work.

Thank you.

Governor Terry E. Branstad and his family were escorted from the House chamber by the committee previously appointed.

Norland of Worth moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Avenson in the chair.

HOUSE CONCURRENT RESOLUTION 6

By Carter, Rosenberg, Lloyd-Jones, Parker, Buhr, Arnould, Norland, Baxter, Knapp, Koenigs, Hammond, Clark, Halvorson of Webster, Haverland, Mullins, Spear, Brammer, Cooper, Gronstal, Krewson, Tofte, Van Camp, Connolly, Diemer, Running, Groninga, O'Kane, Connors, Blanshan, Jochum, Carpenter, Jay, Fey, Doderer, Osterberg, Sturgeon, Ollie, Varn, Tabor, Peick, Sherzan, Shoultz, Chapman, Skow, Groth, Sullivan, Cochran, Hughes, McKean, Miller, Copenhaver, Black, Fogarty, Gruhn, Zimmerman, Lonergan, Pavich, Poncy, Woods, Muhlbauer, Paulin, Davitt, Holveck, Halvorson of Clayton, Hanson, Hermann, Renaud, Carl and Swartz

Whereas, the greatest challenge facing the earth is to prevent the occurrence of nuclear war by accident or design; and

Whereas, the nuclear arms race is dangerously increasing the risk of a holocaust that would be humanity's final war; and

Whereas, a freeze followed by reductions in nuclear warheads, missiles and other delivery systems is needed to halt the nuclear arms race and to reduce the risk of nuclear war; and

Whereas, the initiation of such a freeze has been recognized to be in the mutual interest of the United States and the Soviet Union by the Johnson, Nixon, and Carter administrations, and not as an ideological ploy by the Soviet Union; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Iowa General Assembly petitions the President of the United States and the Congress of the United States to consider the following:

1. As an immediate strategic arms control objective, the United States and the Soviet Union should:

Page 2

a. Pursue a complete halt to the nuclear arms race;

b. Decide when and how to achieve a mutual and verifiable freeze on the testing, production and deployment of nuclear warheads, missiles and other delivery systems; and

c. Give special attention to destabilizing weapons whose deployment would make such a freeze more difficult to achieve.

2. Proceeding from this freeze, the United States and the Soviet Union should pursue major, mutual and verifiable reductions in nuclear warheads, missiles and other delivery systems through annual percentages or equally effective means in a manner that enhances stability; and

Be It Further Resolved, That copies of this resolution be transmitted to the President of the United States and to each member of the Iowa congressional delegation, and a response to this resolution be requested from those to whom it is sent.

Laid over under Rule 25.

SUBCOMMITTEE ASSIGNMENTS

House File 5

Transportation: Lloyd-Jones, Chair; Koenigs, and Lageschulte.

House File 11

Transportation: Koenigs, Chair; Bennett, and Osterberg.

House File 13

Human Resources: Lonergan, Chair; Daggett and Zimmerman.

House File 16

Education: Spear, Chair; Carpenter and Connolly.

House File 18

Transportation: Renaud, Chair; Van Camp and Woods.

House File 20

Education: Groth, Chair; Daggett, Jay, Krewson and Ollie.

House File 21

Education: Daggett, Chair; Carter and Zimmerman.

House File 27

Judiciary and Law Enforcement: Varn, Chair; Brammer and Maulsby.

House File 30

Judiciary and Law Enforcement: Schroeder, Chair; Rosenberg and Tabor.

House File 33

Education: Groth, Chair; Daggett, Jay, Krewson and Ollie.

House File 38

Ways and Means: Fey, Chair; Carpenter and Varn.

House File 39

Local Government: Lloyd-Jones, Chair; Royer and Poncy.

House File 43

Local Government: Swearingen, Chair; Buhr and Renaud.

House File 44

Transportation: Pavich, Chair; Pellett and Renaud.

House File 45

Transportation: Fey, Chair; Pavich and Pellett.

House File 47

Transportation: Lloyd-Jones, Chair; Koenigs and Lageschulte.

House File 52

Judiciary and Law Enforcement: Parker, Chair; Clark and Hammond.

House File 59

Ways and Means: Gronstal, Chair; Chiodo and Schroeder.

House File 61

Ways and Means: Rosenberg, Chair; Chiodo, McKean and Schnekloth.

House File 63

Ways and Means: Gronstal, Chair; Chiodo and Schroeder.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 13

Ways and Means: Osterberg, Chair; Brammer and Daggett.

Study Bill 15

Ways and Means: O'Kane, Chair; Chiodo and Clark.

Study Bill 16

Ways and Means: McKean, Chair; Davitt and Pavich.

Study Bill 18

Ways and Means: Holveck, Chair; Cochran and Lageschulte.

Study Bill 19

Ways and Means: Copenhaver, Chair; Connolly and De Groot.

Study Bill 21

Education: Groth, Chair; Daggett and Varn.

On motion by Norland of Worth, the House adjourned at 10:48 a.m., until 10:00 a.m., Monday, January 24, 1983.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day — Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 24, 1983

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

Prayer was offered by Father Frank Palmer, pastor of All Saints Catholic Church, Des Moines.

The Journal of Friday, January 21, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swearingen of Keokuk and Lageschulte of Bremer, both for the morning session, on request of Halvorson of Clayton.

INTRODUCTION OF BILLS

House Joint Resolution 1, by Hanson and Copenhaver, a joint resolution relating to the bequest and devise of Lowell E. Walter of the Cedar Rock property to the state of Iowa effective upon publication.

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

House File 79, by Harbor, a bill for an act relating to motor vehicle admission fees for state lands under the jurisdiction of the conservation commission and providing a penalty.

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

House File 80, by Baxter, a bill for an act relating to eligibility to serve on the board of trustees of a drainage district.

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

House File 81, by Davitt, a bill for an act to establish a Mexican foreign trade office to be operated by the Iowa development commission.

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

House File 82, by Cochran, Miller, Zimmerman, Halvorson of Webster, Peick and Hammond, a bill for an act relating to the notification of persons upon release of inmates.

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

House File 83, by Ollie, a bill for an act to repeal the fifty percent of sales requirement for Sunday beer and liquor sales.

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

House File 84, by Poncy, a bill for an act relating to the assessment for property tax purposes of commercial property which consists of three or more residential dwelling units in which one or more of the units is lived in by owners of the property.

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

House File 85, by Connolly, a bill for an act relating to the eligibility for vocational-technical tuition grants.

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

House File 86, by Cochran and Cooper, a bill for an act relating to the taxation of the sale of food for human consumption under the state sales, services, and use tax, providing an exemption from the taxation and that the revenues be used for soil conservation purposes and making an appropriation.

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

House File 87, by Cochran, a bill for an act relating to the financial responsibility requirements for the operation and registration of motor vehicles in this state, and providing a penalty.

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

House File 88, by Maulsby, a bill for an act relating to the operation of snowmobiles on public land.

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

House File 89, by Running, 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 90, by Cochran, Fogarty, Jay, Sullivan, Davitt, Anderson and Maulsby, a bill for an act to allow an individual income tax credit for health insurance premiums paid by a taxpayer on income earned from self-employment in computing state individual income tax.

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

House File 91, by Mullins, a bill for an act relating to foreign language requirements for approved high schools.

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

House File 92, by O'Kane, a bill for an act relating to the vacation of certain public streets, alleys, and other public lands by ordinance.

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

House File 93, by Sturgeon, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits.

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

House File 94, by Sturgeon, a bill for an act repealing the statutory limitation on the number of district judges in the state.

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

House File 95, by Daggett, Royer, and Harbor, a bill for an act relating to the valuation of agricultural land for property tax purposes by providing that it be based upon actual productivity.

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

House File 96, by Mullins, a bill for an act providing city and county governments with the authority to levy a property tax for energy conservation improvements.

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

House File 97, by Skow, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

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

PRESENTATION OF VISITOR

Tabor of Jackson presented to the House the Honorable Richard J. Norpel, Sr., former member of the House representing Jackson County.

MOTION TO RECONSIDER LOST
(House Resolution 3)

Menke of O'Brien called up for consideration the motion to reconsider House Resolution 3, filed by him on January 20, 1983, and moved to reconsider the vote by which House Resolution 3, a resolution relating to the permanent rules of the House for the Seventieth General Assembly, filed on January 19, 1983 and found on pages 164 through 184 of the House Journal, was adopted by the House on January 20, 1983.

Roll call was requested by Menke of O'Brien and Halvorson of Clayton.

On the question "Shall House Resolution 3 be reconsidered?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 2:

Lageschulte	Swearingen

The motion to reconsider lost.

CONSIDERATION OF BILLS
Regular Calendar

House File 67, a bill for an act to correct chapter 1156 of the laws of the general assembly, 1982 Session, to authorize a mortgage lender to collect a loan processing fee not exceeding two percent of the principal on a new loan, or the lesser of actual processing costs or one percent of loan principal on a refinancing or assumption, was taken up for consideration.

Chiodo of Polk offered the following amendment H—3042 filed by him and moved its adoption:

H–3042

Amend House File 67 as follows:
1. Title page, line 1, by striking the figure "1156" and inserting in lieu thereof the figure "1153".

Amendment H–3042 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. 67)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 1:

Krewson

Absent or not voting, 2:

Lageschulte Swearingen

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 67)

Chiodo of Polk asked and received unanimous consent to immediately message House File 67 to the Senate.

On motion by Norland of Worth, the House was recessed at 10:54 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

APPOINTMENTS BY THE SPEAKER

The Speaker announced the following appointments:

1983-1984 Legislative Council
(Section 2.41, Code of Iowa)

Representative Donald Avenson
Representative Dale Cochran
Representative John Connors
Representative Betty Hoffmann-Bright
Representative Thomas Jochum
Representative Jean Lloyd-Jones
Representative Lester Menke
Representative Lowell Norland
Representative Delwyn Stromer
Representative Richard Welden

1983-1984 Legislative Fiscal Committee
(Section 2.45, Code of Iowa)

Representative Minnette Doderer
Representative Thomas Jochum
Representative Lowell Norland
Representative Hugo Schnekloth
Representative Richard Welden

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Thursday afternoon, January 20, 1983. Had I been present, I would have voted "aye" on amendments H—3024, H—3026, H—3041 and H—3031, to amendment H—3027; and "nay" on House Resolution 3, as amended.

McINTEE of Black Hawk

I was unavoidably absent the morning of January 24, 1983 when the final vote was taken on House File 67 and the motion to reconsider House Resolution 3. Had I been present, I would have voted "aye" on both questions.

SWEARINGEN of Keokuk

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 37 Energy

To provide an income tax credit for the purchase and installation of a solar water heating system and making the Act retroactive.

S.B. 38 Ways and Means

To revise the duties of assessors relative to the registration and licensing of mobile homes.

S.B. 39 Ways and Means

To remove the sales tax permit fee.

S.B. 40 Ways and Means

Relating to the confidentiality of information contained in claims for an extraordinary property tax credit or rent reimbursement.

S.B. 41 Ways and Means

Relating to the cigarette and tobacco tax by providing for penalty and interest for delinquent payment of tax, failure to remit tax, failure to file return, and filing of a false return, and the time period

in which a hearing on a protest to an assessment of tax is to be held.

S.B. 42 Ways and Means

Relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

S.B. 43 State Government

To create temporary liquor licenses and beer permits to run from one to fourteen days.

S.B. 44 State Government

To establish and license special liquor retailers and special retail liquor establishments.

S.B. 45 State Government

To amend the definition of beer to prevent the manufacture and sale of low alcoholic content wines by the holder of a beer permit.

S.B. 46 State Government

To increase the face value of a class "A" beer permittee's bond.

S.B. 47 Transportation

Providing for the issuance of a single trip permit to transport a mobile home or factory-built structure on the highways of the state where the overall length of the mobile home or factory-built structure and the power unit does not exceed ninety-five feet.

S.B. 48 Small Business and Commerce

Relating to the terms and conditions of transactions involving the sale, financing, and mortgaging of real property.

S.B. 49 Transportation

To define gasohol to include only alcohol distilled from agricultural products grown in this state.

S.B. 50 Finance

Relating to a request from the state board of regents for authorization to construct an addition to the south pavilion of the university hospital.

S.B. 51 Local Government

Relating to state mandates imposed on political subdivisions of the state.

S.B. 52 Local Government

To provide that city general corporate purpose bonds may be issued upon receiving a majority vote of the total vote on the proposition.

S.B. 53 Local Government

Relating to the application of zoning ordinances on manufactured housing.

S.B. 54 Local Government

Providing for the replatting of parcels of land or lots if there is an appreciable error on the recorded plat.

S.B. 55 Local Government

Authorizing the city council to order the platting of certain parcels of land within any city or within two miles of a city.

S.B. 56 Local Government

Authorizing the city council to order the vacation of undeveloped plats recorded for ten years or more.

S.B. 57 Local Government

Relating to weight restrictions for vehicles on bridges and culverts.

S.B. 58 Local Government

Relating to procedures for the adoption, amendment, or repeal of rules, and to provide for delayed effective dates.

S.B. 59 Local Government

Allowing a local governing body to exempt certain projects from urban renewal laws.

On motion by Norland of Worth, the House was adjourned at 3:08 p.m., until 9:00 a.m., Tuesday, January 25, 1983.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day — Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 25, 1983

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

Prayer was offered by Reverend Richard Keifer, pastor of the First Presbyterian Church, Dallas Center.

The Journal of Monday, January 24, 1983 was approved.

INTRODUCTION OF BILLS

House File 98, by Cochran, a bill for an act authorizing an increased tax credit on agricultural land on which approved soil and water conservation practices or erosion control practices are established and maintained.

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

House File 99, by Lloyd-Jones, a bill for an act which provides an increased penalty for delinquent property taxes.

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

House File 100, by Groth, a bill for an act creating the Iowa advanced technology institute and providing an appropriation.

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

House File 101, by Davitt, Sullivan, Jay, Skow, Cochran, Carl and Zimmerman, a bill for an act to provide an additional exemption credit for state individual income tax purposes for certain permanently and totally disabled persons.

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

House File 102, by Skow and Rosenberg, a bill for an act limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, making the Act retroactive to January 1, 1983, and effective upon publication.

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

House File 103, by Chiodo, a bill for an act relating to the licensure and operation of a hospice program.

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

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

The Cedar Rapids Gazette	Judy Daubenmier, Ken Sullivan
Quad City Times	Mike Owen
Iowa Newspaper Association	Harrison Weber, Bill Monroe
Waterloo Courier	Robert E. Case
United Press International	John Peterson, Evan Roth, Tamara Henry, Ted Reisinger
Des Moines Register	James Flansburg, David Yepsen, Tom Witosky, Dewey Knudson, Carl Voss
Associated Press	Roger Munns, Mike Glover, Vaughn Roche, Mark Mittelstadt
Dubuque Telegraph Herald	Roxie Hammill
AFSCME News	Larry Scarpino
JenNor News Service	Steve Norder, Lois Norder

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

EAST PRESS GALLERY

KCCI-TV	Anne Hawkins, Dave Busiek, Michele Burgad, Mark Swanson, Craig Parsons, Dave Warner, John Houghton
Iowa Legislative News Service	Jo Von Stein, Mark Templeton, Tina Riley, Andrea Thiss
WHO Radio	Bill Brewer, Donna Nicholson, Larry Cotlar, Dave Braga
KWWL-TV	Larry Mundt, Dave Mossner
Iowa Radio Network	Ed Kintzer, C. Ross Martin

KRNT/KRNQ Radio	Julie Rutz, Tammy Armstrong, Dan McPherson
WOI-TV	Marcia K. Cady, Blake Bruner, Donna Smith, Tom Schrad, Wayne Davis
WOI Radio	Pamela Drum
WHO-TV	Bill Brown, Jacqui Garnett, Steve Gassmann, Tom Caudron, Don Fish, Clair Hiller, T. J. Beer, George Mills
Iowa Public Television	Daniel Miller, Sara Frasher, Nancy Crowfoot, Linda Wright, Carl Zahari, Mark Braun, Sid Sprecher
KIOA/KMGK Radio	Roger Summitt

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 60 Human Resources

Relating to basic emergency medical care.

S.B. 61 Ways and Means

Relating to liability for the payment of the sales, services, and use tax and the filing of sales, services, and use tax returns.

S.B. 62 Ways and Means

Relating to the organization and functions of the department of revenue and the state board of tax review.

S.B. 63 Ways and Means

Relating to the uses of the permissive tax levy for a health center.

S.B. 64 Energy

Relating to opposition by the general assembly to any legislation, with or without a windfall profits tax, to accelerate the decontrol of natural gas.

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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON NATURAL RESOURCES

House Joint Resolution 1, relating to the bequest and devise of Lowell E. Walter of the Cedar Rock property to the state of Iowa effective upon publication.

Fiscal Note is not required.

Recommended **Do Pass.**

On motion by Norland of Worth, the House adjourned at 9:25 a.m., until 9:00 a.m., Wednesday, January 26, 1983.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day — Thirteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 26, 1983

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

Prayer was offered by Reverend Don Mentzer, pastor of the United Methodist Church, Dawson.

The Journal of Tuesday, January 25, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Beckman, Kalona.

INTRODUCTION OF BILLS

House Joint Resolution 2, by Doderer, Buhr, Hammond, Lloyd-Jones, Chapman, Carpenter, Running, Sullivan, Cochran, Peick, Stueland, Rosenberg, Mullins, Osterberg, Carter, Davitt, McIntee, O'Kane, Carl, Miller, Baxter, Spear, Clark, Sturgeon, Haverland, Ollie, Brammer, Fey, Arnould, Swartz, Knapp, Groth, Pavich, Krewson, Jochum, Halvorson of Webster and Gronstal, 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 104, by O'Kane, a bill for an act relating to the rate of interest assessed as a penalty for delinquent property taxes and the apportionment of interest and penalties on delinquent property taxes.

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

House File 105, by Renken, Van Maanen, Handorf and Hanson, a bill for an act to require a pipeline company to uncover its line when excavation will occur at the pipeline route.

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

House File 106, by Cochran, Cooper, Oxley and Davitt, a bill for an act relating to the financing of substance abuse programs by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues for substance abuse programs and making an appropriation.

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

House File 107, by Doderer and Daggett, a bill for an act relating to intestate shares when a decedent leaves a surviving spouse or a surviving spouse and issue.

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

House File 108, by Jochum, Sturgeon, Connors, Chapman, Connolly, Doderer, Varn, Clark, Buhr, O'Kane, Pavich, Peick, Woods, Sherzan, Rosenberg, Fey and Carpenter, a bill for an act prohibiting county and city zoning practices and restrictive covenants which exclude or discriminate against community-based residential homes providing room and board and other services for developmentally disabled persons.

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

House File 109, by Krewson, a bill for an act relating to liability for the payment of the sales, services, and use tax and the filing of sales, services, and use tax returns.

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

HOUSE CONCURRENT RESOLUTION 7
By Committee on Finance

Whereas, chapter 263A of the Code provides that the state board of regents after authorization by a constitutional majority of the general assembly may carry out a project as defined in that chapter of the Code at the state university of Iowa; and

Whereas, chapter 263A authorizes the state board of regents to borrow money and to issue and sell negotiable bonds or notes to pay all or any part of the costs of carrying out projects at the institution payable solely and only from and secured by an irrevocable pledge of a sufficient portion of the university hospital income; and

Whereas, many of the facilities of the hospitals at the state university of Iowa were built more than fifty-five years ago and are inadequate to meet present and future demands for statewide speciality care and teaching services; and

Whereas, two hundred eighty-five beds of the hospitals at the state university of Iowa have been determined by the state department of health to be "nonconforming" and no longer meet modern hospital building codes and standards and, further, detailed studies have shown that upgrading these facilities to modern standards would be prohibitive because of the cost; and

Whereas, one hundred forty beds of the two hundred eighty-five nonconforming beds are dispersed throughout the hospital and do not meet present-day standards of a modern tertiary-level teaching hospital relating to patient care, infection control, patient privacy, and spatial requirements; and

Whereas, to alleviate these conditions, the state board of regents requests authorization to construct an addition to the south pavilion of the university hospital of

Page 2

approximately one hundred fifty thousand gross square feet, to house inpatient facilities for one hundred forty beds, and to construct mechanical and other supporting facilities at an estimated total cost of twenty-four million five hundred thousand dollars, of which not more than twenty million dollars would be financed by borrowing under chapter 263A, and the remainder would be financed by other funds; *Now, Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the state board of regents is authorized to construct an addition of approximately one hundred fifty thousand gross square feet of floor space to the south pavilion of the general hospital of the state university of Iowa to house inpatient facilities and to construct mechanical and other supporting facilities at an estimated total cost of twenty-four million five hundred thousand dollars, of which not more than twenty million dollars would be financed by borrowing through the issuance of bonds as authorized by chapter 263A.

Be It Further Resolved, That the addition to the south pavilion of the general hospital of the state university of Iowa is intended as final construction at the hospitals of the state university of Iowa for replacement of beds determined to be nonconforming by the state department of health. It is the intent of the general assembly not to authorize further additions to the hospitals of the state university of Iowa without documented proof that the construction of an addition is necessary for a tertiary-level hospital.

Laid over under Rule 25 and placed on the **calendar.**

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 65 State Government

Relating to the qualifications for a license as a real estate broker.

S.B. 66 Judiciary and Law Enforcement

Relating to criminal offenses and providing for pre-trial and post-trial criminal procedures including post-conviction procedures and sentences.

S.B. 67 Judiciary and Law Enforcement

Providing immunity from liability resulting from assistance in an investigation of child abuse.

S.B. 68 Judiciary and Law Enforcement

Relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services.

S.B. 69 Judiciary and Law Enforcement

To make nonsubstantive corrections to the Code.

S.B. 70 Judiciary and Law Enforcement

Relating to the authority to carry weapons.

S.B. 71 Judiciary and Law Enforcement

Relating to disorderly conduct and providing a penalty.

S.B. 72 Judiciary and Law Enforcement

To divide judicial district five into three judicial election districts.

S.B. 73 Judiciary and Law Enforcement

Relating to sentencing practices.

S.B. 74 Judiciary and Law Enforcement

Relating to the sentences of offenders.

S.B. 75 Judiciary and Law Enforcement

Permitting the Code editor to editorially correct internal references to sections which are cited erroneously or have been repealed, and names of agencies, officers, or other entities which have been changed.

S.B. 76 Judiciary and Law Enforcement

Providing for the disposition of personal property in the possession of the department of public safety.

S.B. 77 Education

Relating to the method of election of boards of directors of reorganized school districts.

S.B. 78 Judiciary and Law Enforcement

Relating to the use of the abbreviation "L.P." for purposes of the uniform limited partnership Act.

S.B. 79 Local Government

Relating to the imposition of a local option income surtax, vehicle tax, sales and services tax, and payroll tax by a city or county and providing for 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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON EDUCATION

House File 33, a bill for an act relating to the purposes for which the property tax levied under section 297.5 of the Code may be expended.

Fiscal Note is not required.

Recommended **Do Pass.**

Committee Bill (Formerly Study Bill 21), to provide an option for meeting school year requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass.**

COMMITTEE ON FINANCE

Committee Resolution (Formerly Study Bill 50), a concurrent resolution providing for the board of regents to issue bonds for construction at the state university of Iowa hospitals.

Fiscal Note is not required.

Recommended **Amend and Do Pass.**

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 38), to revise the duties of assessors relative to the registration and licensing of mobile homes.

Fiscal Note is not required.

Recommended **Amend and Do Pass.**

AMENDMENT FILED

H–3043 H.C.R. 6 Harbor of Mills

On motion by Norland of Worth, the House adjourned at 9:17 a.m., until 9:00 a.m., Thursday, January 27, 1983.

JOURNAL OF THE HOUSE

Eighteenth Calendar Day — Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 27, 1983

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

Prayer was offered by Father Thomas Mumm, pastor of the St. Louis Catholic Church, Royal.

The Journal of Wednesday, January 26, 1983 was approved.

INTRODUCTION OF BILLS

House Joint Resolution 3, by Welden, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

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

House File 110, by Connolly, a bill for an act relating to leaves of absence for persons who are elected to municipal, county, state, or federal offices and providing penalties.

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

House File 111, by Connolly, a bill for an act relating to reseeding the topsoil of open ditches with prairie grass seed.

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

House File 112, by Oxley, a bill for an act relating to the control or eradication of the multiflora rose and making appropriations.

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

House File 113, by Branstad, a bill for an act which prohibits preventing or attempting to prevent a person from engaging in a

lawful vocation in case of a labor dispute or otherwise and providing a penalty.

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

House File 114, by Connolly, a bill for an act providing for the creation, management, and administration of a protected water area system in this state.

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

House File 115, by Connolly, a bill for an act relating to public gas and electric company meters.

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

House File 116, by Diemer, Haverland, Ollie, Halvorson of Clayton, Pavich, Branstad, Spear, Tofte, Daggett, Van Camp, Sullivan, Renaud, Van Gerpen, Peick, Hermann, Royer and Corey, a bill for an act allowing a bona fide religious institution or its educational facility, association, corporation, or society to use membership in a particular religion as an employment factor.

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

House File 117, by Krewson, a bill for an act relating to the definition of retail sale for purposes of the state sales, service and use tax.

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

House File 118, by Arnould, Fey, Copenhaver, Menke, Halvorson of Clayton, McKean, Connors, Hanson, Schnekloth, Varn, Fogarty, Corey, Swearingen, Peick and Hermann, a bill for an act relating to the minimum basic training requirements of marshals and police officers employed by certain cities.

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

RULE 35 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend House Rule 35 to dispense with the weekly debate calendar for the week of January 31, 1983.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 6

Carter of Henry called up for consideration House Concurrent Resolution 6, a concurrent resolution relating to a nuclear arms freeze, filed on January 21, 1983 and found on pages 216 and 217 of the House Journal.

Daggett of Taylor in the chair at 9:11 a.m.

Harbor of Mills offered the following amendment H—3043 filed by him:

H—3043

Amend House Concurrent Resolution 6 as follows:
1. Page 1, by striking lines 13 and 14 and inserting in lieu thereof the following: "States and the Soviet Union by the Johnson, Nixon, Ford, Carter, and Reagan administrations, and not as an ideological ploy".

Carter of Henry offered the following amendment H—3044, to amendment H—3043, filed by him from the floor:

H—3044

Amend amendment H—3043 to House Concurrent Resolution 6 as follows:
1. Page 1, by striking line 4 and inserting in lieu thereof the following: "Union by the Johnson, Nixon, Ford, and Carter".

Hummel of Benton moved that action on House Concurrent Resolution 6 be deferred.

Speaker Avenson in the chair at 9:28 a.m.

Schroeder of Pottawattamie asked for unanimous consent to amend the resolution by striking on lines 13 and 14 the words "the Johnson, Nixon, and Carter administrations" and inserting in lieu thereof the words "by both Democratic and Republican administrations".

Objection was raised.

Hummel of Benton asked and received unanimous consent to withdraw his motion to defer.

Carter of Henry asked and received unanimous consent to withdraw amendment H—3044, to amendment H—3043, filed by him from the floor.

The House stood at ease at 9:35 a.m., until the fall of the gavel, for the drafting of an amendment.

The House resumed session at 9:47 a.m., Speaker Avenson in the chair.

Carter of Henry offered the following amendment H—3045, to amendment H—3043, filed by Carter, Harbor, Clark and Hummel from the floor and moved its adoption:

H—3045

Amend amendment H—3043 to House Concurrent Resolution 6 as follows:

1. Page 1, by striking line 4 and inserting in lieu thereof the following: "Union by both Republican and Democratic".

Amendment H—3045 was adopted.

On motion by Harbor of Mills, amendment H—3043, as amended, was adopted.

Carter of Henry moved the adoption of the resolution, as amended.

The motion prevailed and the resolution, as amended, was adopted.

APPOINTMENT OF COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT STANDING SUBCOMMITTEES

Jay of Appanoose, chair of the committee on judiciary and law enforcement, announced the appointment of the following standing

subcommittees of the committee on judiciary and law enforcement:

CODE EDITOR

Jay, Chair
Chapman
McKean

COMPARATIVE NEGLIGENCE

Jay, Chair
Chapman
Halvorson of Clayton
McIntee
Varn

COURT REORGANIZATION

Jay, Chair
Doderer
Maulsby
McKean
Parker

FAMILY LAW

Doderer, Chair
Hammond
Schroeder

RULES REVIEW

Schroeder, Chair
Paulin
Rosenberg

SENTENCING

Rosenberg, Chair
Halvorson of Clayton
McKean
Tabor
Varn

REVIEW: BROWN AND LIBRARY OF DES MOINES VS. JOHNSTON AND SHANAHAN

Chapman, Chair
Clark
Parker

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 27, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 8, providing for the board of regents to issue bonds for construction at the State University of Iowa Hospital.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 8
By Committee on Finance

Whereas, chapter 263A of the Code provides that the state board of regents after authorization by a constitutional majority of the general assembly may carry out a project as defined in that chapter of the Code at the state university of Iowa; and

Whereas, chapter 263A authorizes the state board of regents to borrow money and to issue and sell negotiable bonds or notes to pay all or any part of the costs of carrying out projects at the institution payable solely and only from and secured by an irrevocable pledge of a sufficient portion of the university hospital income; and

Whereas, many of the facilities of the hospitals at the state university of Iowa were built more than fifty-five years ago and are inadequate to meet present and future demands for statewide speciality care and teaching services; and

Whereas, two hundred eighty-five beds of the hospitals at the state university of Iowa have been determined by the state department of health to be "nonconforming" and no longer meet modern hospital building codes and standards and, further, detailed studies have shown that upgrading these facilities to modern standards would be prohibitive because of the cost; and

Whereas, one hundred forty beds of the two hundred eighty-five nonconforming beds are dispersed throughout the hospital and do not meet present-day standards of a modern tertiary-level teaching hospital relating to patient care, infection control, patient privacy,

Page 2

and spatial requirements; and

Whereas, to alleviate these conditions, the state board of regents requests authorization to construct

an addition to the south pavilion of the university hospital of approximately one hundred fifty thousand gross square feet, to house inpatient facilities for one hundred forty beds, and to construct mechanical and other supporting facilities at an estimated total cost of twenty-four million five hundred thousand dollars, of which not more than twenty million dollars would be financed by borrowing under chapter 263A, and the remainder would be financed by other funds; *Now, Therefore,*

Be It Resolved by the Senate, the House of Representatives Concurring, That the state board of regents is authorized to construct an addition of approximately one hundred fifty thousand gross square feet of floor space to the south pavilion of the general hospital of the state university of Iowa to house inpatient facilities and to construct mechanical and other supporting facilities at an estimated total cost of twenty-four million five hundred thousand dollars, of which not more than twenty million dollars would be financed by borrowing through the issuance of bonds as authorized by chapter 263A.

Referred to committee on **finance.**

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 80 Education

Relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs and to make an appropriation.

S.B. 81 Education

Relating to funds available to area education agencies for special education support services.

S.B. 82 Human Resources

To provide immunity from liability resulting from providing assistance in a child abuse investigation.

S.B. 83 State Government

Relating to the requirements that certain buildings be designed by registered architects.

S.B. 84 Transportation

To increase the excise tax upon the use of gasohol by one cent per gallon for the period beginning April 1, 1983 and ending June 30, 1986.

S.B. 85 Human Resources

Relating to affairs of decedents, missing persons, protected persons, minors, incapacitated persons, and certain others and constituting the Uniform Probate Code.

S.B. 86 Ways and Means

Relating to the time for the depositing or remitting of, or filing a return on state income tax withheld, sales and services tax collected, or use tax collected or owed, and fixing filing dates.

S.B. 87 Local Government

Relating to weight limitations on farm trailers.

S.B. 88 Judiciary and Law Enforcement

Establishing comparative fault as the basis for liability in relation to claims for damages arising from injury to or death of a person or harm to property, to take effect July 1, 1984.

S.B. 89 Judiciary and Law Enforcement

Relating to the number of judgeships in the judicial election district in which the Iowa state penitentiary is located.

S.B. 90 State Government

Proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 1

Natural Resources: Hanson, Chair; Baxter and Osterberg.

House File 26

Agriculture: Blanshan, Chair; Copenhaver and Anderson.

House File 28

Labor and Industrial Relations: Sherzan, Chair; Hermann, Hummel, Parker and Peick.

House File 29

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 31

Small Business and Commerce: Skow, Chair; Halvorson of Clayton and Knapp.

House File 32

Labor and Industrial Relations: Running, Chair; Corey and Sherzan.

House File 34

Labor and Industrial Relations: Connors, Chair; Grandia, Halvorson of Clayton, Miller and Ollie.

House File 37

Labor and Industrial Relations: Poncy, Chair; Brammer and Branstad.

House File 40

State Government: Hammond, Chair; De Groot, Gruhn, Hoffmann-Bright and Renaud.

House File 41

State Government: Hammond, Chair; De Groot, Gruhn, Hoffmann-Bright and Renaud.

House File 42

Agriculture: Fogarty, Chair; Bennett and Muhlbauer.

House File 46

Agriculture: Skow, Chair; Koenigs and Rensink.

House File 48

Local Government: Cooper, Chair; Hermann and Royer.

House File 53

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 54

Energy: Black, Chair; Anderson, Hughes, Muhlbauer and Mullins.

House File 55

Local Government: Swearingen, Chair; Buhr and Renaud.

House File 57

Transportation: Fogarty, Chair; Cochran and Harbor.

House File 64

Transportation: Osterberg, Chair; Fey and Van Camp.

House File 65

Natural Resources: Cooper, Chair; Grandia and O'Kane.

House File 66

Natural Resources: Groth, Chair; Stueland and Tabor.

House File 68

Ways and Means: O'Kane, Chair; Maulsby and Swartz.

House File 69

Ways and Means: Holveck, Chair; Bennett and Chiodo.

House File 70

Transportation: Lloyd-Jones, Chair; Koenigs and Lageschulte.

House File 71

Judiciary and Law Enforcement: Hammond, Chair; Maulsby and Miller.

House File 72

Human Resources: Mullins, Chair; Connors, Ollie, Sherzan and Van Camp.

House File 73

Local Government: Spear, Chair; Cooper, Renaud, Renken and Torrence.

House File 74

Human Resources: Spear, Chair; Clark, Connors, Hermann and Sherzan.

House File 76

Ways and Means: Gronstal, Chair; Chiodo and Schroeder.

House File 77

Labor and Industrial Relations: Connors, Chair; Grandia, Halvorson of Clayton, Miller and Ollie.

House File 78

Education: Varn, Chair; Menke and Shoultz.

House File 80

Agriculture: Fogarty, Chair; Muhlbauer and Bennett.

House File 81

Agriculture: Davitt, Chair; Zimmerman and Handorf.

House File 82

Judiciary and Law Enforcement: Brammer, Chair; Haverland and McIntee.

House File 84

Ways and Means: Tabor, Chair; Clark and Connolly.

House File 86

Ways and Means: Gronstal, Chair; Anderson and Brammer.

House File 89

Judiciary and Law Enforcement: Holveck, Chair; Corey and McKean.

House File 90

Ways and Means: Gronstal, Chair; Chiodo and Renken.

House File 91

Education: Zimmerman, Chair; Carter and Maulsby.

House File 92

Local Government: Sherzan, Chair; Lloyd-Jones and Menke.

House File 93

Labor and Industrial Relations: Running, Chair; Corey and Sherzan.

House File 95

Ways and Means: Osterberg, Chair; Koenigs and Schnekloth.

House File 103

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 106

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 107

Judiciary and Law Enforcement: Parker, Chair; Clark and Schroeder.

House File 108

Local Government: Connors, Chair; Buhr and Torrence.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 22

Small Business and Commerce: Schroeder, Chair; Groninga and Chapman.

Study Bill 23

Education: Carl, Chair; Haverland and Swearingen.

Study Bill 24

Education: Carl, Chair; Haverland and Swearingen.

Study Bill 25

Education: Ollie, Chair; Buhr and Van Gerpen.

Study Bill 26

Education: Hughes, Chair; Branstad and Poncy.

Study Bill 27

Education: Buhr, Chair; Haverland and Van Gerpen.

Study Bill 28

Education: Menke, Chair; Connolly and Handorf.

Study Bill 30

Transportation: Muhlbauer, Chair; Fey and Van Maanen.

Study Bill 31

Transportation: Cooper, Chair; Corey and Miller.

Study Bill 32

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 33

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 34

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 35

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 36

Human Resources: Spear, Chair; Clark, Connors, Hermann and Sherzan.

Study Bill 37

Energy: Sullivan, Chair; Hughes, Lonergan, Paulin and Torrence.

Study Bill 38

Ways and Means: Gronstal, Chair; Tabor and Lageschulte.

Study Bill 39

Ways and Means: Copenhaver, Chair; Connolly and De Groot.

Study Bill 40

Ways and Means: McKean, Chair; Davitt and Pavich.

Study Bill 41

Ways and Means: Schnekloth, Chair; Connolly, Diemer, Koenigs and Pavich.

Study Bill 42

Ways and Means: Osterberg, Chair; Brammer and Daggett.

Study Bill 49

Transportation: Davitt, Chair; Welden and Woods.

Study Bill 50

Finance: Connolly, Chair; Branstad and Halvorson of Webster.

Study Bill 51

Local Government: Spear, Chair; Cooper, Renaud, Renken and Torrence.

Study Bill 52

Local Government: O'Kane, Chair; Menke and Peick.

Study Bill 53

Local Government: Lloyd-Jones, Chair; Connors and Torrence.

Study Bill 54

Local Government: Sherzan, Chair; Lloyd-Jones and Menke.

Study Bill 55

Local Government: Sherzan, Chair; Lloyd-Jones and Menke.

Study Bill 56

Local Government: Sherzan, Chair; Lloyd-Jones and Menke.

Study Bill 57

Local Government: Poncy, Chair; Cooper and Royer.

Study Bill 58

Local Government: Spear, Chair; Cooper, Renaud, Renken and Torrence.

Study Bill 59

Local Government: Buhr, Chair; Hermann and Running.

Study Bill 60

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 61

Ways and Means: Anderson, Chair; Bennett and Swartz.

Study Bill 62

Ways and Means: Tabor, Chair; Fey, O'Kane, Renken and Schroeder.

Study Bill 63

Ways and Means: Oxley, Chair; Clark and O'Kane.

Study Bill 64

Energy: Rosenberg, Chair; Knapp, Osterberg, Royer and Van Camp.

Study Bill 66

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 68

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 69

Judiciary and Law Enforcement: Jay, Chair; Chapman and McKean.

Study Bill 73

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 74

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 75

Judiciary and Law Enforcement: Jay, Chair; Chapman and McKean.

Study Bill 79

Local Government: Lloyd-Jones, Chair; Connors, O'Kane, Royer and Swearingen.

Study Bill 82

Human Resources: Mullins, Chair; Connors, Ollie, Sherzan and Van Camp.

Study Bill 87

Local Government: O'Kane, Chair; Connors 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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly House File 2), a bill for an act authorizing the transfer of certain cases involving mental health commitments from the county of commitment to the county of legal settlement.

Fiscal Note is required.

Recommended **Do Pass.**

House File 10, a bill for an act relating to the payment of salaries and expenses of judges of the court of appeals.

Fiscal Note is required.

Committee Action: **Failed to Pass.**

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 3), relating to the terms of the membership of and the record of actions taken by a county compensation board.

Fiscal Note is not required.

Recommended **Amend and Do Pass.**

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 1), relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor.

Fiscal Note is not required.

Recommended **Amend and Do Pass.**

On motion by Norland of Worth, the House adjourned at 10:08 a.m., until 10:00 a.m., Monday, January 31, 1983.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day—Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 31, 1983

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

Prayer was offered by Father Michael Phillips, Chaplain of Notre Dame High School, Burlington.

The Journal of Thursday, January 27, 1983 was approved.

PETITION FILED

The following petition was received and placed on file:

By Varn of Johnson, from eighty constituents of the 54th District favoring the recommendation of the Amana Land Use Study Committee to pursue legislation as a means to guide land use in the Amanas.

INTRODUCTION OF BILLS

House File 119, by committee on ways and means, a bill for an act to revise the duties of assessors relative to the registration and licensing of mobile homes.

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

House File 120, by committee on education, a bill for an act to provide an option for meeting school year requirements.

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

House File 121, by Running, a bill for an act exempting certain prior holders of minors' school licenses from being required to take a motorcycle education course before being issued operators' licenses.

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

House File 122, by Lonergan, a bill for an act to increase the handling charge for beverage containers to two cents.

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

House File 123, by Renaud, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire fighters, persons providing emergency medical services, and penal and correctional facility staff, and providing penalties.

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

House File 124, by Spear, a bill for an act relating to the classification of the multiflora rose as a noxious weed.

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

House File 125, by Blanshan, a bill for an act relating to the requirement under the state income tax law of withholding from proceeds from the sale of grain by nonresidents.

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

House File 126, by Schnekloth, Bránstad, Rensink, Renken, Daggett, Maulsby and Stueland, a bill for an act relating to the liability of the state conservation commission and a county conservation board for damage to crops on land adjacent to parks when the damage is done by protected game.

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

House File 127, by Schnekloth, a bill for an act relating to grading grain for foreign material.

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

CONSIDERATION OF BILLS
Regular Calendar

House Joint Resolution 1, a joint resolution relating to the bequest and devise of Lowell E. Walter of the Cedar Rock property

to the state of Iowa effective upon publication, with report of committee recommending passage was taken up for consideration.

Hanson of Delaware 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.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 1)

The ayes were, 100:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, none.

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 1)

Hanson of Delaware asked and received unanimous consent to immediately message House Joint Resolution 1 to the Senate.

HOUSE FILE 33 DEFERRED

House File 33, a bill for an act relating to the purposes for which the property tax levied under section 297.5 of the Code may be expended, with report of committee recommending passage was taken up for consideration.

Krewson of Polk in the chair at 10:30 a.m.

Speaker Avenson in the chair at 10:39 a.m.

Daggett of Taylor asked and received unanimous consent to defer action on House File 33.

PRESENTATION OF VISITOR

Copenhaver of Buchanan presented to the House the Honorable Trave O'Hearn, former member of the House representing Scott County.

REREFERRED TO COMMITTEE ON FINANCE
(House File 68)

The Speaker announced that House File 68, recommended amend and do pass by the committee on **ways and means** at their meeting on January 27, 1983, was rereferred to the committee on **finance** under House Rule 33.

APPOINTMENTS

Speaker Avenson announced the following appointments:

ENERGY POLICY COUNCIL
(Section 93.2, Code of Iowa)

Representative Sue Mullins ..... Pleasure of the Speaker
Representative Ralph Rosenberg ..... Pleasure of the Speaker

COMMUNICATION FROM THE OFFICE OF THE GOVERNOR

A communication has been received from the Office of the Governor, Richard Redman, Chairman, Herrick Will Committee, and is on file in the office of the Chief Clerk. The Herrick Will

Committee makes the following recommendations to the legislature regarding the disposition of interest funds earned on the principle of the Herrick gift to the State of Iowa:

1) That $330,500 to be allocated to restore the West Approach of the Old Capitol at the University of Iowa in Iowa City, and that interest accrued after June 30, 1983 be used toward the State Historical Building project.

2) That the remainder of the interest money accrued prior to June 30, 1983 and not allocated to the Old Capitol project be used for initiating a fund raising program to complete the Historical Building.

COMMUNICATION FROM THE SUPREME COURT

A communication regarding changes in the following matters was received on January 28, 1983 from the Honorable W. W. Reynoldson, Chief Justice of the Supreme Court, and is on file in the office of the Chief Clerk:

Pursuant to Iowa Code sections 229.40 and 684.19, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly changes in existing Rules of Procedure for the Involuntary Hospitalization of the Mentally Ill: Rule 32.

Pursuant to 1981 Iowa Acts chapter 203 and Iowa Code sections 684.18(1) and 684.19, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly the new Iowa Rules of Evidence.

COMMUNICATIONS RECEIVED

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

BEER AND LIQUOR CONTROL DEPARTMENT

The Annual Report of the Iowa Beer and Liquor Control Department, pursuant to Chapter 123.55, Code of Iowa.

LEGISLATIVE COUNCIL

Notice of the appointment of the Citizens' Aide and proposed resolution to the House Rules and Administration Committee, pursuant to Chapter 601G.3, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 85 (Reassigned) Judiciary and Law Enforcement

Relating to affairs of decedents, missing persons, protected persons,

minors, incapacitated persons, and certain others and constituting the Uniform Probate Code.

S.B. 91 Natural Resources

Relating to the permit and enforcement authority of the department of water, air and waste management over public water supply systems.

S.B. 92 Natural Resources

To authorize the water, air and waste management commission to adopt rules.

S.B. 93 Natural Resources

Providing for procedures, forms and fees for permits and conditional permits issued by the department of water, air and waste management.

S.B. 94 Natural Resources

Relating to the powers and duties of the department of water, air and waste management, and making corresponding amendments to the Code.

S.B. 95 Small Business and Commerce

Relating to when unclaimed deposits and refunds held by utilities are presumed abandoned.

S.B. 96 Judiciary and Law Enforcement

Relating to the number of judgeships in the judicial election district in which the Iowa state penitentiary is located.

S.B. 97 Judiciary and Law Enforcement

Relating to defining who is entitled to claims for materials furnished on public improvements.

S.B. 98 Judiciary and Law Enforcement

Relating to the limit on the number of district judges in the state.

S.B. 99 Energy

Relating to energy codes for buildings which may be adopted by a governmental subdivision.

S.B. 100 Energy

Providing that the assessed and taxable value of property shall not increase when property improvements are made for the purposes of generating electricity with a hydroelectric system.

S.B. 101 Energy

To provide industrial revenue bond financing for hydroelectric development.

S.B. 102 Finance

Relating to the Governor's Cash Management Bills.

S.B. 103 Local Government

Relating to the financing of public projects through bonds, warrants, special assessments, and other obligations.

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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 24), relating to the consolidation of certain special education categories.

Fiscal Note is not required.

Recommended **Do Pass** January 27, 1983.

Committee Bill (Formerly Study Bill 25), relating to the costs of certain services provided by an area education agency and requested by a local board of education.

Fiscal Note is not required.

Recommended **Do Pass** January 27, 1983.

COMMITTEE ON WAYS AND MEANS

House File 68, a bill for an act relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, by providing that mobile homes are subject to security interests in the same manner as other vehicles subject to registration, and making certain provisions of the Act retroactive.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3046** January 27, 1983.

AMENDMENT FILED

H—3046	H.F. 68	Committee on Ways and Means

On motion by Norland of Worth, the House adjourned at 11:05 a.m., until 9:00 a.m., Tuesday, February 1, 1983.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day—Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 1, 1983

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

Prayer was offered by the Reverend William G. Marten, pastor of the Concordia Lutheran Church, Lake Park.

The Journal of Monday, January 31, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Jeffrey Lenz, Iowa Lutheran Hospital, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

McIntee of Black Hawk on request of Halvorson of Clayton; Mullins of Kossuth on request of Koenigs of Mitchell and Grandia of Marion on request of Van Maanen of Mahaska.

INTRODUCTION OF BILLS

House Joint Resolution 4, by Spear, Daggett, Hammond, Hanson, Corey, Carter and Connors, 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 Joint Resolution 5, by Spear, Hanson, Carter and Hammond, a joint resolution proposing an amendment to the Constitution of the State of Iowa providing that the governor shall appoint the secretary of state.

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

House Joint Resolution 6, by Spear, Varn, Hanson and Connors, a joint resolution proposing an amendment to the Constitution of

the State of Iowa to allow the general assembly to prescribe by law when a person who is convicted of a felony or who is mentally ill or mentally retarded shall be entitled to the privilege of an elector.

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

House Joint Resolution 7, by Spear, Parker, Varn, Hanson, O'Kane, Hughes, Connors and Chapman, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of senators.

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

House File 128, by committee on judiciary and law enforcement, a bill for an act authorizing the transfer of certain cases involving mental health commitments from the county of commitment to the county of legal settlement.

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

House File 129, by Lageschulte, a bill for an act relating to trapping restrictions.

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

House File 130, by Connolly, a bill for an act prohibiting the treasurer of state from purchasing security issued by or depositing money in a financial institution participating in loans to the government or an agency of the Republic of South Africa.

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

House File 131, by committee on local government, a bill for an act relating to the membership of and the record of actions taken by a county compensation board.

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

House File 132, by committee on education, a bill for an act relating to the costs of certain services provided by an area education agency and requested by a local board of education.

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

House File 133, by committee on education, a bill for an act relating to the consolidation of certain special education categories.

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

House File 134, by Hanson, a bill for an act exempting certain barbers and cosmetologists from continuing education requirements.

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

House File 135, by Lonergan, a bill for an act placing time limitations on the pickup of empty beverage containers by distributors and on the payment of the refund value and reimbursement for the beverage containers.

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

House File 136, by Spear, Hanson, Carter, Hammond and Mullins, 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 137, by Branstad, 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 138, by Lageschulte, a bill for an act making an appropriation to the juvenile victim restitution program within the criminal and juvenile justice planning agency.

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

PUBLIC HEARING CANCELLED

Krewson of Polk asked and received unanimous consent to withdraw the request for a public hearing on Senate Concurrent Resolution 8, relating to bonding for the University of Iowa Hospitals.

SPONSOR ADDED
(House Joint Resolution 3)

Van Maanen of Mahaska requested to be added as a sponsor of House Joint Resolution 3.

APPOINTMENT

Speaker Avenson announced the following appointment:

CAPITOL PLANNING COMMISSION
(Section 18A, Code of Iowa)

Representative Dennis Black – to fill an unexpired term ending April 30, 1983.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

OFFICE OF THE GOVERNOR

A Study of Legal Services for the Poor, pursuant to Acts of the Sixty-ninth General Assembly, 1982 Session, Chapter 1260, Section 85.

HOUSE RESOLUTION 4
By Committee on Ethics

Be It Resolved by the House of Representatives, That the following be adopted as the Code of Ethics for the house of representatives:

HOUSE CODE OF ETHICS

Recognizing that members of the general assembly are honorable citizens who are active in the business, religious and public service affairs of their community, state, and nation, the following rules were adopted pursuant to chapter 68B to assist the members in the conduct of their legislative affairs.

1. A member of the house shall not accept economic or investment opportunity under circumstances where the member knows, or should know, that there is a reasonable possibility that the opportunity is being afforded with the intent to influence the member's conduct in the performance of official duties.

2. A member of the house shall not charge to or accept from a person, partnership, or corporation known to have a legislative interest, a price, fee, compensation, or other consideration for the sale

or lease of any property or the furnishing of services which is in excess of that which the member would ordinarily charge another.

3. A member of the house, in order to further the member's own economic interests, or those of any other person, shall not disclose or use confidential information acquired in the course of the member's official duties.

4. A member of the house may appear before a state agency in any representation case. Whenever a member

Page 2

of the house appears before a state agency, the member shall carefully avoid all conduct which might in any way lead members of the general public to conclude that the member is using the member's official position to further the member's professional success or general interest.

5. In order to permit the general assembly to function effectively, members of the house will, of necessity, be required to vote on bills and participate in committee work which will affect their employment and other areas in which they may have a monetary interest. Action on bills and in committee work which specifically deal with a member's specific employment or specific investment, as opposed to a profession, trade, or business in general, should be avoided. In making a decision relating to a member's activity on particular bills or in committee work which are subject to this code, the following factors should be considered:

a. Whether a substantial threat to the member's independence of judgment has been created by the conflict situation.

b. The effect of the member's participation on public confidence in the integrity of the legislature.

c. Whether the member's participation is likely to have any significant effect on the disposition of the matter.

d. The need for the member's particular contribution, such as special knowledge of the subject matter, to the effective functioning of the

Page 3

legislature.

The member may, however, decide to participate in a manner contrary to the economic interest which creates the conflict situation, but if the member abstains, the member should disclose that fact to

the legislative body.

6. Members of the house are urged to familiarize themselves with chapters 68B, 721 and 722 and section 711.4 of the Code.

7. Members of the house shall not charge any amount or item to a charge account to be paid for by a lobbyist or any organization a lobbyist represents.

8. Complaints against a member of the house or a lobbyist operating in the house shall be in writing, made under oath and filed with the ethics committee of the house. If the ethics committee determines that the complaint sets out an apparent violation of the law or code of ethics or rules regulating lobbyists, it shall set the matter for hearing, notify the accused of the right to appear in person, to be represented by counsel, to present statements and evidence and to cross-examine witnesses. The committee shall hold a hearing and consider all relevant evidence and shall make its recommendations to the house.

9. Advisory opinions may be rendered as set out in section 68B.10 of the Code upon request of a member of the general assembly.

10. a. As used in this rule, the word "gift" and the phrases "immediate family member" and "public

Page 4

disclosure" have the meaning provided in section 68B.2 of the Code.

b. A person who provides a gift which exceeds fifteen dollars in value in any one occurrence to a member, officer, or employee of the house or the immediate family members of a member, officer, or employee of the house shall report the gift. The report shall show the nature, amount, date, donee, and donor of the gift. If more than one person shares in the expense of providing a gift which is required to be reported, each of those persons shall report the gift even though that person's share of the expense does not exceed fifteen dollars in value. However, if a legal entity other than a natural person makes the gift, the legal entity shall report the gift as a donor. If a gift is made to a group of persons, the gift shall be reported if the average value of the gift provided to those persons participating exceeds fifteen dollars in value and those members, officers and employees and their immediate family members participating shall be listed in the report. A member, officer, or employee and the immediate family members of a member, officer, or employee shall

not accept more than one gift which is required to be reported from the same person in any one occurrence.

c. The report shall be filed in the office of the chief clerk of the house by the fifteenth day of the month following the month in which a gift is provided which is required to be reported. The chief clerk shall also file and maintain any report filed

Page 5

by the members, officers or employees who desire to report a gift made to them or their immediate family members. Subject to the approval of the committee on ethics, the chief clerk of the house shall prepare forms for the filing of these reports and make them available to any person who is required to file a report. The reports filed shall be maintained by the chief clerk of the house and be available for public inspection as provided in chapter 68A of the Code. The committee on ethics may authorize the chief clerk of the house to prepare and make available to the public an annual summary of the reports filed under this rule.

Be It Further Resolved, That the following be adopted as the rules of the house of representatives governing lobbyists:

HOUSE RULES GOVERNING LOBBYISTS

1. Definitions:

a. For the purposes of these rules, "lobbyist" is defined as a person who does any of the following:

(1) Is paid compensation to encourage the passage, defeat, or modification of legislation.

(2) Expends money in an attempt to encourage the passage, defeat, or modification of legislation.

(3) Represents an organization which has as one of its purposes the encouragement of the passage, defeat, or modification of legislation.

(4) Is a federal, state, or local official or employee who represents the official position of his or her department, commission, board, or agency, and

Page 6

who attempts to encourage the passage, defeat, or modification of legislation.

b. The term "lobbyist" shall not include within its definition:

(1) Designated representatives of political parties organized in the state of Iowa and representing more than two percent of the total votes cast for governor or president in the preceding general election.

(2) Representatives of the news media engaged only in the reporting and disseminating of news.

(3) Officials and employees of federal, state, and local government who in the course of their official duties submit legislation or amendments to a representative or a house committee, or who are requested or required to provide information to a representative, or who are requested or required to appear before a house committee, and who do not encourage the passage, defeat, or modification of legislation.

(4) Any elected state official.

(5) Constituents of a legislator in lobbying their legislator.

2. All lobbyists shall on or before the day their lobbying activity begins, register with the chief clerk of the house by filing a lobbyist registration form listing:

a. Name, permanent business and residential addresses, temporary residential and business addresses during the legislative session, if any; and telephone numbers.

Page 7

b. The name and address of each individual, company, firm, corporation, union, association or cause for which the person lobbies.

c. The general subjects of legislation in which the lobbyist is or may be interested, the file number of the bills and resolution (if known) which will be lobbied, whether the lobbyist intends to lobby for or against each bill or resolution (if known), and on whose behalf the lobbyist is lobbying the bill or resolution.

Only one registration statement need be filed by a lobbyist, even if the lobbyist represents more than one client.

3. All information filed under these rules shall be public record and open to public inspection at any reasonable time.

4. Employees of federal, state, and local government offices who are designated representatives of their agency shall not lobby on behalf of such offices without a letter of authorization from such office.

5. Lobbyists shall only be permitted on the floor of the house pursuant to rule 20 of the rules of the house.

6. A fee or bonus shall not be paid to any lobbyist with reference to any legislative action that is

conditioned wholly or in part upon the results attained by the lobbyist.

7. A lobbyist, or employer of a lobbyist, shall not offer economic or investment opportunity or promise

Page 8

of employment to any member of the house with intent to influence conduct in the performance of official duties.

8. The chief clerk of the house, subject to the approval of the house ethics committee, shall prescribe forms and procedures for compliance with these rules.

Laid over under Rule 25.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 104 Ways and Means

Relating to the cigarette and tobacco tax by making the temporary tax increase permanent, providing for penalty and interest for delinquent payment of tax, failure to remit tax, failure to file return, and filing of a false return, and the time period in which a hearing on a protest to an assessment of tax is to be held, and repealing the Iowa unfair cigarette sales Act.

S.B. 105 Local Government

Relating to veteran preference in public employment and providing an effective date.

S.B. 106 Local Government

Relating to the hours of service by fire fighters.

S.B. 107 Local Government

To establish the duties and liabilities of cities and abutting property owners in removing the natural accumulation of snow and ice from sidewalks.

S.B. 108 Local Government

Relating to ways condemned by landowners having no access to their property.

S.B. 109 Local Government

Relating to design standards and corresponding speed limits on secondary roads.

S.B. 110 Local Government

Relating to the membership of a county enterprise commission.

S.B. 111 Local Government

Authorizing the board of supervisors to purchase blanket surety bonds for certain county officers and employees.

S.B. 112 Local Government

To repeal the requirement to file a certificate of the county treasurer of payment of personal property taxes due on the estate of a decedent.

S.B. 113 Local Government

Relating to the cancellation of outstanding warrants.

S.B. 114 State Government

To provide for annual recommendations by the commission on compensation, salaries, and expenses of elected state officials.

S.B. 115 State Government

Relating to the disclosure of campaign contributions.

S.B. 116 Judiciary and Law Enforcement

To increase the jurisidictional amount of small claims court to two thousand dollars.

S.B. 117 Judiciary and Law Enforcement

Relating to the release of defendants and conditions required for bail.

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.

JOSEPH O'HERN
Acting Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 80), relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs and to make an appropriation.

Fiscal Note is required.

Recommended **Do Pass** January 31, 1983.

Committee Bill (Formerly Study Bill 81), relating to funds available to area education agencies for special education support services.

Fiscal Note is required.

Recommended **Do Pass** January 31, 1983.

COMMITTEE ON ETHICS

Committee Resolution, a resolution relating to the House Code of Ethics and House rules governing lobbyists for the Seventieth General Assembly.

Fiscal Note is not required.

Recommended **Do Pass** January 31, 1983.

COMMITTEE ON FINANCE

House File 68, a bill for an act relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, by providing that mobile homes are subject to security interests in the same manner as other vehicles subject to registration, and making certain provisions of the Act retroactive.

Fiscal Note is not required.

Recommended **Do Pass as amended by Ways and Means Committee amendment H–3046** January 31, 1983.

COMMITTEE ON HUMAN RESOURCES

House File 74, a bill for an act relating to visitation at state correctional institutions by certain public officials and leaders of a religious community.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3047** January 31, 1983.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 84), to increase the excise tax upon the use of gasohol by one cent per gallon for the period beginning April 1, 1983 and ending June 30, 1986.

Fiscal Note is required.

Recommended **Amend and Do Pass** January 31, 1983.

AMENDMENT FILED

H—3047	H.F. 74	Committee on Human Resources

On motion by Norland of Worth, the House adjourned at 9:20 a.m., until 9:00 a.m., Wednesday, February 2, 1983.

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day—Seventeenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 2, 1983

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

Prayer was offered by the Honorable Betty Jean Clark, State Representative from Cerro Gordo County.

The Journal of Tuesday, February 1, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Rodney Carlson, Ankeny.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Krewson of Polk on request of Bennett of Ida; Hammond of Story, for a portion of the day, on request of Rosenberg of Story.

INTRODUCTION OF BILLS

House File 139, by committee on transportation, a bill for an act to increase the excise tax upon the use of gasohol by one cent per gallon for the period beginning April 1, 1983 and ending June 30, 1986.

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

House File 140, by committee on state government, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor and making it effective upon publication.

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

HOUSE CONCURRENT RESOLUTION 8
By O'Kane and Chiodo

Whereas, many individuals and organizations have expressed concern over the unfairness of the current tax system; and

Whereas, local governments and school districts are having an increasingly difficult time funding their operations; and

Whereas, the current property tax system has become incomprehensible to the property tax payer; and

Whereas, the tax system of the state of Iowa has not been thoroughly examined in over a decade; *Now Therefore*,

Be It Resolved by the House of Representatives, The Senate Concurring, That the legislative council shall create a study committee to conduct during the 1983 interim and as long thereafter as is necessary a detailed study of the tax structure as it relates to state and local taxing body revenue sources and expenditures and inequities in types of taxes and between classes of property and recommend methods of implementing tax reform measures which will further reduce emphasis on local property taxes; and

Be It Further Resolved, That the membership of the study committee shall consist of not more than fifteen legislators representing the senate and the house committees on ways and means and local government, and membership to be appointed jointly by the speaker of the house and the president of the senate; and

Be It Further Resolved, That the study committee is authorized to expend not exceeding two hundred

Page 2

thousand dollars from funds available pursuant to section 2.12 of the Code to carry out the study and shall employ a director to conduct the comprehensive study called for in this resolution; and

Be It Further Resolved, That the study committee shall issue a report containing its recommendations and other information deemed useful to members of the general assembly, which report shall be accompanied by bill drafts designed to carry out the recommendations of the study committee.

Laid over under Rule 25.

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

The following is a list of changes for the officers and employees of the House:

Chief Clerk Joseph O'Hern
Assistant Chief Clerk Elizabeth A. Isaacson

Position	Name	Grade and Step	Class of Appointment	Eff. Date
Secretary II	Linda Hughes	15-1 + 1 + 1	S-O	1/10/83
Secretary II	Joan A. Kiernan	15-1 + 1 + 1	S-O	1/14/83
Secretary II	Maxine R. Lauritzen	15-1 + 2	S-O	1/10/83
Secretary II	Dorothy Mauro	15-1 + 2	S-O	1/10/83
Secretary II	Suzanne M. Robinson	15-1 + 1	S-O	1/10/83
Secretary II	Betty Wentz	15-3 + 2 + 1	S-O	1/14/83
Administrative Assistant II	Michael K. Peterson	15-1	S-O	1/14/83

FEY of Scott, Chair

On motion by Norland of Worth, the House was recessed at 9:06 a.m., until the fall of the gavel.

The House resumed session at 9:17 a.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-nine members present, twenty-one absent.

Rosenberg of Story in the chair at 9:22 a.m.

Speaker Avenson in the chair at 9:25 a.m.

The House stood at ease at 9:27 a.m., until the fall of the gavel.

The House resumed session at 11:49 a.m., Speaker Avenson in the chair.

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.

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to committee notice and agenda, for a meeting of the committee on ways and means upon recess.

REREFERRED TO COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT
(Study Bill 69)

Jay of Appanoose asked and received unanimous consent to rerefer Study Bill 69, recommended amend and do pass by the committee on judiciary and law enforcement on February 1, 1983, to the committee on judiciary and law enforcement.

On motion by Norland of Worth, the House was recessed at 11:53 a.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 3:35 p.m., until 4:45 p.m.

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 141, by committee on ways and means, a bill for an act increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty.

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

RULE 58 SUSPENDED

Norland of Worth asked for unanimous consent to suspend Rule 58 for a meeting of the committee on finance upon adjournment.

Objection was raised.

Norland of Worth moved to suspend Rule 58, relating to committee notice and agenda, for a meeting of the committee on finance upon adjournment.

Roll call was requested by Schnekloth of Scott and Branstad of Winnebago.

On the question "Shall Rule 58 be suspended?"

The ayes were, 57:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hummel
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

Absent or not voting, 6:

Black	Hammond	Hoffmann-Bright	Krewson
Renaud	Tofte		

The motion prevailed and Rule 58 was suspended.

RULE 31.8 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 31.8, relating to the filing of amendments, on House File 141.

COMMUNICATIONS RECEIVED

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

COMMISSION ON THE STATUS OF WOMEN

The 11th Annual Report of the Iowa Commission on the Status of Women, pursuant to Chapter 601.8, Code of Iowa, received February 1, 1983.

INTERAGENCY COORDINATING COUNCIL ON RADIATION SAFETY

The State Radiation Safety Plan, pursuant to Chapter 136B, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 118 Human Resources

Permitting a hospital service corporation to contract with an ambulatory surgical facility for surgical services.

S.B. 119 Human Resources

To establish the statewide long-term care ombudsman program within the Iowa Commission on the Aging.

S.B. 120 Human Resources

To establish a permanent network of Well Elderly Clinics throughout the state.

S.B. 121 Human Resources

Proposing that a subcommittee be established composed of representatives of the Administration on Aging, the Iowa Commission on the Aging, the Iowa Association of Area Agencies on Aging,

the State Advisory Council, the Area Advisory Councils, and members of both the Senate and House, with fifty-one (51) percent of the members of the subcommittee being sixty (60) years of age or older to study the creation of a Department on Aging.

S.B. 122 Human Resources

To continue and expand programs of in-home and out-of-home services for elderly and/or disabled persons of limited income by an appropriation of state funds.

S.B. 123 Judiciary and Law Enforcement

Relating to inmate transfer hearings.

S.B. 124 Judiciary and Law Enforcement

Relating to recovery and restitution for bad checks, drafts, or written instruments and providing a penalty.

S.B. 125 Ways and Means

Relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive.

S.B. 126 Ways and Means

Increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, providing transition rules, and providing a penalty.

S.B. 126 (Revised) Ways and Means

Increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty.

S.B. 127 Judiciary and Law Enforcement

Relating to the service of notices terminating real estate tenancies.

S.B. 128 State Government

Relating to the disclosure of campaign contributions.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 46, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3048** February 1, 1983.

COMMITTEE ON FINANCE

House File 141, a bill for an act increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty.

Fiscal Note required by ways and means committee.

Recommended **Do Pass** February 2, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly Study Bill 69), to make nonsubstantive corrections to the Code.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 126 Revised), increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty.

Fiscal Note is required.

Recommended **Do Pass** February 2, 1983.

AMENDMENTS FILED

H—3048	H.F. 46	Committee on Agriculture
H—3049	H.F. 120	Carter of Henry
H—3050	H.F. 60	Spear of Lee
H—3051	H.R. 4	Copenhaver of Buchanan
H—3052	H.F. 33	Schnekloth of Scott Lageschulte of Bremer Harbor of Mills

On motion by Norland of Worth, the House adjourned at 5:22 p.m., until 9:00 a.m., Thursday, February 3, 1983.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day—Eighteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 3, 1983

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

Prayer was offered by the Honorable Horace Daggett, state representative from Taylor County.

The Journal of Wednesday, February 2, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Rigby Patterson, Iowa Lutheran Hospital, Des Moines.

PETITION FILED

The following petition was received and placed on file:

By Varn of Johnson, from two hundred ninety-five constituents favoring amending section 106.31 (1)(b) of the 1981 Code of Iowa as amended by the Acts of the Sixty-ninth General Assembly, so that horsepower limitation on motorboats with an outboard motor go back to six horsepower rather than ten as enacted.

INTRODUCTION OF BILLS

House File 142, by Daggett, a bill for an act relating to the calculation of budget enrollment by a school district.

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

House File 143, by Stueland, Pellett, Branstad, Anderson, De Groot, Diemer, Schnekloth, Handorf, Renken and Hermann, a bill for an act establishing a periodic review of state agencies by the general assembly and terminating those agencies.

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

House File 144, by Connors, O'Kane, Running, Renaud and Sherzan, a bill for an act relating to the base period upon which unemployment compensation benefits are computed for certain individuals receiving workers' compensation benefits.

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

House File 145, by McKean and Knapp, a bill for an act relating to the purchase of products from Iowa state industries.

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

House File 146, by Schnekloth, a bill for an act relating to the membership and powers and duties of the county compensation board.

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

House File 147, by Van Maanen, De Groot, Daggett, Cochran, Pellett, Branstad, Maulsby, Anderson, Muhlbauer, Renken, Grandia and Cooper, a bill for an act relating to the appeal to the Iowa beer and liquor control department by liquor control license or beer permit applicants, licensees, and permittees.

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

House File 148, by McKean, a bill for an act providing that urban revitalization areas be confined to existing downtown areas.

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

House File 149, by Sturgeon, a bill for an act relating to the off-premises sale of wine by class "B" and "C" liquor control licensees and class "C" beer permittees.

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

House File 150, by Groth, a bill for an act allowing deaf persons to use hearing dogs in certain public places and establishments and providing a penalty.

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

House File 151, by Ollie, a bill for an act providing for the adjudication of a truant as a child in need of assistance under the juvenile justice code.

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

The House stood at ease at 9:27 a.m., until the fall of the gavel.

The House resumed session at 11:31 a.m., Speaker Avenson in the chair.

RULE 35 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 35 to dispense with the Weekly Debate Calendar for the week of February 7, 1983.

The House stood at ease at 11:33 a.m., until the fall of the gavel.

The House resumed session at 2:22 p.m., Speaker Avenson 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 February 3, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 184, a bill for an act increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 184, by committee on ways and means, a bill for an act increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty.

Read first time and **passed on file.**

CONSIDERATION OF BILLS
Regular Calendar

Norland of Worth asked for unanimous consent to take up for immediate consideration House File 141.

Objection was raised.

Norland of Worth moved that the rules be suspended for the immediate consideration of House File 141.

A non-record roll call was requested.

The ayes were 60, nays 38.

The motion prevailed and House File 141 was taken up for consideration.

SENATE FILE 184 SUBSTITUTED FOR HOUSE FILE 141

Norland of Worth asked and received unanimous consent to substitute Senate File 184 for House File 141.

Senate File 184, a bill for an act increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty, was taken up for consideration.

The House stood at ease at 2:30 p.m., until the fall of the gavel.

The House resumed session at 3:08 p.m., Speaker Avenson in the chair.

Doderer of Johnson offered the following amendment H–3056 filed by her from the floor and moved its adoption:

H–3056

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, line 28, by striking the word "March" and inserting in lieu thereof the word "April".

2. Page 3, by striking everything after line 27 and inserting in lieu thereof the following:

"Sec. 6. Section 422.16, subsection 2, Code 1983, is amended to read as follows:

2. A withholding agent required to deduct and withhold tax under subsections 1 and 12, except those required to deposit on a semimonthly basis, shall deposit for each calendar quarterly period, on or before the last day of the month following the close of the quarterly period, on a quarterly deposit form as prescribed by the director and shall pay to the department, in the form of remittances made payable to "Treasurer, State of Iowa", the tax required to be withheld, or the tax actually withheld, whichever is greater, under subsections 1 and 12. However, a withholding agent who withholds more than fifty dollars in any one month, except those required to deposit on a semimonthly basis, shall deposit with the department the amount withheld, with a monthly deposit form as prescribed by the director. The monthly deposit form is due on or before the fifteenth day of the month following the month of withholding, except that a deposit is not required for the amount withheld in the third month of the quarter but the total amount of withholding for the quarter shall be computed and the amount by which the deposits for that quarter fail to equal the total quarterly liability is due with the filing of the quarterly deposit form. The quarterly deposit form is due ~~within the month~~ on or before the last day of the month following the end of the quarter. A withholding agent who withholds more than ~~eight thousand~~ two hundred fifty dollars in a semimonthly period shall deposit with the department the amount withheld, with a semimonthly deposit form as prescribed by the director. The first semimonthly deposit form for the period from the first of the month through the fifteenth of the month is due on the twenty-fifth day of the month in which the withholding occurs. The second semimonthly deposit form for the period from the sixteenth of the month through the end of the month is due on the tenth day of the month following the month in which the withholding occurs.

Every withholding agent on or before the end of the second month following the close of the calendar year in which the withholding occurs shall make an

Page 2

annual reporting of taxes withheld and other information prescribed by the director and send to the department copies of wage and tax statements with the return.

If the director has reason to believe that the collection of the tax provided for in subsections 1 and 12 is in jeopardy, the director may require the employer or withholding agent to make the report and pay the tax at any time, in accordance with section 422.30. The director may authorize incorporated banks, trust companies, or other depositories authorized by law which are depositories or financial agents of the United States or of this state, to receive any tax imposed under this chapter, in the manner, at the times, and under the conditions the director prescribes. The director shall also prescribe the manner, times, and conditions under which the receipt of the tax by those depositories is to be treated as payment of the tax to the department.

Sec. 7. Section 422.16, subsection 2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a withholding agent elects or is required by department rule to make monthly deposits, the withholding agent shall remit tax monthly for at least twelve months. Failure to timely remit tax monthly shall subject the withholding agent to late filing or late payment penalties and interest. If a withholding agent elects or is required by department rule to make semimonthly deposits, the withholding agent shall remit tax semimonthly for at least twelve months. Failure to timely remit tax semimonthly shall subject the withholding agent to late filing or late payment penalties and interest. Withholding agents may petition the director and request that tax be remitted less frequently when it can be shown that the amount of tax withheld no longer requires tax to be remitted monthly or no longer requires tax to be remitted semimonthly.

Sec. 8. Section 422.52, subsection 1, Code 1983, is amended to read as follows:

1. The tax levied under this division is due and payable in quarterly installments on or before the last day of the month following each quarterly period except as otherwise provided in this subsection. Every retailer who collects more than ~~four thousand~~ five hundred dollars in retail sales tax in a semimonthly period shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected or an amount

Page 3

equal to not less than one-sixth of the tax collected and paid to the department during the preceding quarter, with a deposit form for the semimonthly period as prescribed by the director. Alternatively, a retailer required to remit on a semimonthly basis may deposit an amount equal to the amount collected or one-sixth of the tax collected and paid to the department during the same calendar quarter of the preceding year. The first semimonthly deposit form is for the period from the first of the month through the fifteenth of the month and is due on or before the twenty-fifth day of the month. The second semimonthly deposit form is for the period from the sixteenth through the end of the month and is due on or before the tenth day of the month following the month of collection. A deposit is not required for the last semimonthly period of the calendar quarter. The total quarterly amount, less the amount deposited for the five previous semimonthly periods, is due with the quarterly report on the last day of the month following the month of collection. ~~A retailer who collects more than five hundred dollars in retail sales taxes in one month and not more than four thousand dollars in retail sales taxes in a semimonthly period shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected or an amount equal to not less than one-third of the tax collected and paid to the department during the preceding quarter, with a deposit form for the month as prescribed by the director. The deposit form is due on or before the twentieth day of the month following the month of collection, except a deposit is not required for the third month of the calendar quarter and the total quarterly amount, less the amounts deposited for the first two months of the quarter, is due with the quarterly report on the last day of the month following the month of collection.~~ Every retailer who collects more than fifty dollars in one month and not more than five hundred dollars in retail sales tax in ~~one month~~ a semimonthly period shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected, or an amount equal to not less than one-third of the tax collected and paid to the department during the last preceding quarter, with a deposit form for the month as prescribed by the director. The deposit form is due on or before the twentieth day of the month following the month of collection, except a deposit is not required for the

Page 4

third month of the calendar quarter and the total quarterly amount, less the amounts deposited for the first two months of the quarter, is due with the quarterly report on the last day of the month following the month of collection. ~~The monthly remittance procedure is optional for any sales tax permit holder whose average monthly collection of tax amounts to more than twenty-five dollars and less than fifty dollars.~~ If the exact amounts of the taxes due or an amount equal to not less than one-third or one-sixth, as applicable, of the tax collected and paid to the department during the last preceding quarter on the deposit form are not ascertainable by the retailer, or would work undue hardship in the computation of the taxes due by the retailer, the director may provide by rules alternative procedures for estimating the amounts (but not the dates) due by the retailers. The forms prescribed by the director shall be referred to as "retailers semimonthly tax deposit" or "retailers monthly tax deposit". Deposit forms shall be signed by the retailer or the retailer's duly authorized agent, and shall be duly certified by the retailer or agent to be correct. The director may authorize incorporated banks and trust companies or other depositories authorized by law which are depositories or financial agents of the United States, or of this state, to receive any tax imposed under this chapter, in the manner, at the times and under the conditions the director prescribes. The director shall prescribe the manner, times, and conditions under which the receipt of the tax by those depositories is to be treated as payment of the tax to the department.

Sec. 9. Section 422.52, subsection 1, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a retailer elects or is required by department rule to make monthly deposits, the retailer shall remit tax monthly for at least twelve months. Failure to timely remit tax monthly shall subject the retailer to late filing or late payment penalties and interest. If a retailer elects or is required by department rule to make semimonthly deposits the retailer shall remit tax semimonthly for at least twelve months. Failure to timely remit tax semimonthly shall subject the retailer to late filing or late payment penalties and interest. Retailers may petition the director and request that tax be remitted less frequently when it can be shown that the amount of tax collected no longer requires

Page 5

tax to be remitted monthly or no longer requires tax to be remitted semimonthly.

Sec. 10. Section 423.13, Code 1983, is amended to read as follows:

423.13 PAYMENT TO DEPARTMENT. Each permit holder required or authorized, pursuant to section 423.9 or 423.10, to collect or pay the tax imposed, shall remit to the department the amount of tax, on or before the last day of the month following each calendar quarterly period. However, a retailer who collects or owes more than ~~fifteen~~ five hundred dollars in use taxes in a month shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected or ~~owed~~ an amount equal to not less than one-third of the tax collected and paid during the preceding quarter, with a deposit form for the month as prescribed by the director. The deposit form is due on or before the twentieth day of the month following the month of collection, except a deposit is not required for the third month of the calendar quarter and the total quarterly amount, less the amounts deposited for the first two months of the quarter, is due with the quarterly report on the last day of the month following the month of collection. At that time, the retailer shall file with the department a return for the preceding quarterly period in the form prescribed by the director showing the sales price of the tangible personal property sold by the retailer during the preceding quarterly period, the use of which is subject to the tax imposed by this chapter, and other information the director deems necessary for the proper administration of this chapter. The return shall be accompanied by a remittance of the tax for the period covered by the return. If necessary in order to ensure payment to the state of the tax, the director may in any or all cases require returns and payments to be made for other than quarterly periods. The director may, upon request and a proper showing of necessity, grant an extension of time not to exceed thirty days for making any return and payment. Returns shall be signed by the retailer or the retailer's duly authorized agent, and shall be certified by the retailer or agent to be correct.

Sec. 11. Section 423.13, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a permit holder elects or is required by department rule to make monthly deposits, the permit holder shall remit tax

Page 6

monthly for at least twelve months. Failure to timely remit tax monthly shall subject the permit holder to late filing or late payment penalties and interest. The permit holder may petition the director and request that tax be remitted quarterly when it can be shown that the amount of tax collected does not exceed five hundred dollars in a month.

Sec. 12. Sections 6, 8, and 10 take effect April 1, 1983.

Sec. 13. Sections 7, 9, and 11 take effect July 1, 1983.

Sec. 14. This Act, being deemed of immediate importance, takes effect April 1, 1983 from and after its publication in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa, and in the Globe-Gazette, a newspaper published in Mason City, Iowa."

3. Title page, line 3, by inserting after the comma the words "providing for accelerated collections of sales, services, use, and income taxes,".

A non-record roll call was requested.

The ayes were 49, nays 51.

Amendment H—3056 lost.

The House stood at ease at 3:18 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 184 at 4:00 p.m., Speaker Avenson in the chair.

Daggett of Taylor offered the following amendment H—3057 filed from the floor by Daggett, Harbor, Maulsby, Van Maanen, Halvorson of Clayton, Rensink, Anderson, Lageschulte, Hermann, Handorf, Van Gerpen, Hummel, Van Camp, Schnekloth and De Groot:

H—3057

Amend Senate File 184 as passed by the Senate as follows:

1. page 2, by inserting after line 17 the following:

"Sec. . Section 422.45, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the general exemption provision in this section, the gross receipts from the sale of industrial equipment is exempt from the increase in the tax rate imposed under this division from three to four percent if the purchase is paid for in the fiscal year beginning July 1, 1984 and is exempt from two-fourths of the tax rate imposed under this division if the purchase or repair is paid for in any fiscal year beginning on or after July 1, 1985."

2. By renumbering as necessary.

Halvorson of Webster rose on a point of order that amendment H—3057 was not germane.

The Speaker ruled the point well taken and amendment H—3057 not germane.

Daggett of Taylor moved that the rules be suspended to adopt amendment H—3057.

The Speaker ruled the motion to suspend the rules to adopt amendment H—3057 not in order.

Stromer of Hancock rose on a point of order that the motion was in order and has been honored in the past.

The Speaker ruled the point not well taken and the motion not in order.

The House stood at ease at 4:17 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 184 at 4:38 p.m., Speaker Avenson in the chair.

Daggett of Taylor moved that the rules be suspended to consider amendment H—3057.

Roll call was requested by Daggett of Taylor and Halvorson of Clayton.

On the question "Shall the rules be suspended to consider amendment H–3057?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 57:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 3:

Black	Doderer	Ollie

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Black of Jasper, for a portion of the day, on request of Norland of Worth.

Daggett of Taylor offered the following amendment H–3058 filed from the floor by Daggett, McKean, Harbor, Maulsby,

Van Maanen, Halvorson of Clayton, Rensink, Anderson, Lageschulte, McIntee, Pellett, Hummel, Mullins, Van Camp, Hanson, Van Gerpen, Schnekloth and De Groot:

H–3058

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, by inserting after line 17 the following:

"Sec. . Section 422.45, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the general exemption provision in this section, the gross receipts from the sale of farm machinery and from the repair of farm machinery is exempt from the increase in the tax rate imposed under this division from three to four percent if the purchase or repair is paid for in the fiscal year beginning July 1, 1984 and is exempt from two-fourths of the tax rate imposed under this division if the purchase or repair is paid for in any fiscal year beginning on or after July 1, 1985."

2. By renumbering as necessary.

Doderer of Johnson rose on a point of order that amendment H–3058 was not germane.

The Speaker ruled the point well taken and amendment H–3058 not germane.

Schnekloth of Scott moved that action on Senate File 184 be deferred until a public hearing is held.

Roll call was requested by Schnekloth of Scott and Lageschulte of Bremer.

On the question "Shall Senate File 184 be deferred?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins

Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, none.

The motion lost.

Speaker pro tempore Connors of Polk in the chair at 5:27 p.m.

Pellett of Cass offered the following amendment H–3059 filed from the floor by Pellett, Daggett, Maulsby, Renken, Van Maanen, Van Gerpen, McIntee, Diemer, Royer, Halvorson of Clayton, Bennett and De Groot:

H–3059

Amend Senate File 184 as follows:

1. Page 2, by inserting after line 17 the following:

"Sec. . Section 422.45, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the general exemption provision in this section, the gross receipts from the sale of each business machine and each piece of farm equipment where the purchase price is more than five thousand dollars are exempt from the increase in the tax rate imposed under this division from three to four percent."

2. By renumbering as necessary.

Doderer of Johnson rose on a point of order that amendment H—3059 was not germane.

The Speaker ruled the point well taken and amendment H—3059 not germane.

Pellett of Cass moved that the rules be suspended to consider amendment H—3059.

Roll call was requested by Pellett of Cass and Branstad of Winnebago.

On the question "Shall the rules be suspended to consider amendment H—3059?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, none.

The motion lost.

Harbor of Mills offered the following amendment H–3062 filed from the floor by Harbor, McIntee, Hanson, Van Gerpen, Handorf, Maulsby and Renken:

H–3062

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, by inserting after line 17 the following:

"Sec. . Section 422.45, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. The gross receipts from the sale of industrial machinery and equipment and tangible personal property used for agricultural purposes, including replacement parts which are depreciable for state and federal income tax purposes."

2. Renumber sections as are necessary in accordance with this amendment.

Doderer of Johnson rose on a point of order that amendment H–3062 was not germane.

The Speaker ruled the point well taken and amendment H–3062 not germane.

Harbor of Mills moved that the rules be suspended to consider amendment H–3062.

Roll call was requested by Schroeder of Pottawattamie and Krewson of Polk.

On the question "Shall the rules be suspended to consider amendment H–3062?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 59:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

Absent or not voting, 1:

O'Kane

The motion lost.

Harbor of Mills offered the following amendment H–3063 filed from the floor by Harbor, McIntee, Van Gerpen and Handorf:

H–3063

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, by inserting after line 17 the following:

"Sec. . Section 422.45, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. The gross receipts from the sale of industrial machinery and equipment, including replacement parts which are depreciable for state and federal income tax purposes."

2. Renumber sections as necessary in accordance with this amendment.

Doderer of Johnson rose on a point of order that amendment H–3063 was not germane.

The Speaker ruled the point well taken and amendment H–3063 not germane.

Welden of Hardin offered the following amendment H—3065 filed from the floor by Welden, Van Gerpen, Handorf and Maulsby:

H—3065

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, by inserting after line 17 the following:

"Sec. . Section 422.43, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the rate of tax imposed by this section, where any single sale of tangible personal property under this section exceeds ten thousand dollars in value, the sale shall be subject to the rate of tax specified in this section and at a rate of three percent on the amount of the gross receipts exceeding ten thousand dollars."

2. Page 3, by inserting after line 27 the following:

"Sec. . Section 423.2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the rate of tax imposed by this section, where the use in this state of tangible personal property purchased for use in this state exceeds ten thousand dollars in value, the tangible personal property purchased for use in this state shall be subject to the rate of tax specified in this section but at a rate of three percent on the portion of the purchase price of the tangible personal property exceeding ten thousand dollars."

3. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Arnould of Scott rose on a point of order that amendment H—3065 was not germane.

The Speaker ruled the point well taken and amendment H—3065 not germane.

De Groot of Lyon offered the following amendment H—3066 filed from the floor by De Groot, Mullins, Krewson, Van Maanen and Paulin:

H—3066

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, by inserting after line 17 the following:

"Sec. . Section 422.45, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the general exemption provision in this section, the gross receipts from the sales, furnishing or service of residential heating fuels to persons sixty-five years of age or older or totally disabled is exempt from the increase in the tax rate imposed under this division from three to four percent as follows:

a. All fuel oil, coal, wood, steam, propane gas, and liquefied petroleum gas sold to qualified residential customers for residential use.

b. Natural gas sold for residential use to qualified customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat.

c. Electricity sold for residential use to qualified customers who are metered and billed as residential users and who use electricity for their primary source of residential heat."

2. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Doderer of Johnson rose on a point of order that amendment H—3066 was not germane.

The Speaker ruled the point well taken and amendment H—3066 not germane.

De Groot of Lyon moved that the rules be suspended to consider amendment H—3066.

Roll call was requested by De Groot of Lyon and Hoffmann-Bright of Muscatine.

On the question "Shall the rules be suspended to consider amendment H—3066?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, none.

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien, for a portion of the day, on request of Connors of Polk.

Daggett of Taylor offered the following amendment H-3077 filed by him from the floor:

H–3077

1 Amend Senate File 184 as passed by the Senate as
2 follows:

1. Page 2, line 19, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

2. Page 3, by inserting after line 8 the following:

"NEW SUBSECTION.

a. A purchaser of farm machinery or of the repairs to farm machinery may apply to the director for a refund of a certain amount of tax imposed under this division or under chapter 423 under the following conditions:

(1) The purchaser of the farm machinery or of the repairs to farm machinery has paid to the retailer or the department the full four percent tax.

(2) The claim is filed on forms provided by the department and is filed within one year of the date the tax is paid.

b. The amount of the refund shall be as follows:

(1) If purchased in the fiscal year beginning July 1, 1984, one-fourth of the tax paid.

(2) If purchased in the fiscal year beginning July 1, 1985, two-fourths of the tax paid.

(3) If purchased in the fiscal year beginning July 1, 1986, three-fourths of the tax paid.

(4) If purchased in any fiscal year beginning on or after July 1, 1987, the full amount of the tax paid.

c. The forms provided by the department for claiming this refund may provide, but is not limited to, that the receipt indicating when the purchase was made and the tax paid be attached or other information that would indicate when the purchase was made and the tax paid. If the department is satisfied that the conditions of this subsection have been complied with and the purchaser is entitled to the refund, the appropriate amount shall be refunded."

2. Title page, line 3, by inserting after the word "contractors" the words "and certain other purchasers or users".

Doderer of Johnson rose on a point of order that amendment H—3077 was not germane.

The Speaker ruled the point well taken and amendment H—3077 not germane.

Daggett of Taylor moved that the rules be suspended to consider amendment H—3077.

Roll call was requested by Daggett of Taylor and Mullins of Kossuth.

On the question "Shall the rules be suspended to consider amendment H–3077?"

The ayes were, 38:

Anderson	Bennett	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 60:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, 2:

Branstad	Menke

The motion lost.

Schroeder of Pottawattamie offered the following amendment H–3064 filed by him from the floor:

H–3064

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, line 20, by striking the words

"Construction contractors" and inserting in lieu thereof the word "Contractors".

2. Page 2, line 30, by striking the word "construction".

Chiodo of Polk rose on a point of order that amendment H—3064 was not germane.

The Speaker ruled the point not well taken and amendment H—3064 germane.

Schroeder of Pottawattamie moved the adoption of amendment H—3064.

Roll call was requested by Schroeder of Pottawattamie and Bennett of Ida.

On the question "Shall amendment H—3064 be adopted?"

The ayes were, 38:

Anderson	Bennett	Branstad	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 61:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Cochran	Connolly	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz

Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Connors)			

Absent or not voting, 1:

Menke

Amendment H—3064 lost.

Harbor of Mills offered the following amendment H—3061 filed from the floor by Harbor, Daggett, Pellett, Maulsby, Renken, Handorf, Hermann, Lageschulte and McKean and moved its adoption:

H—3061

Amend Senate File 184 as passed by the Senate as follows:

1. Page 2, line 28, by striking the word "March" and inserting in lieu thereof the word "April".

2. Page 3, line 29, by striking the word "March" and inserting in lieu thereof the word "April".

Roll call was requested by Hoffmann-Bright of Muscatine and Tofte of Winneshiek.

On the question "Shall amendment H—3061 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 59:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga

Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

Absent or not voting, 2:

Koenigs	Menke

Amendment H-3061 lost.

Speaker Avenson in the chair at 6:22 p.m.

Lageschulte of Bremer offered the following amendment H—3060 filed from the floor by Lageschulte, Pellett, De Groot, McKean, Hermann, Renken, Maulsby, Hanson and Bennett and moved its adoption:

H—3060

Amend Senate File 184 as passed by the Senate as follows:

1. Page 3, by inserting after line 27 the following:

"Sec. . The provisions of sections 1, 2, 3, and 5 of this Act are temporary and in effect only until the time provided in this Act. When the unobligated state general fund balance of June 30 as certified by the state comptroller by September 10 of the fiscal year which ended in that calendar year was sixty million dollars or more, the provisions of sections 1, 2, 3, and 5 are reenacted as of February 28, 1983 as they existed prior to the effective date of this Act in order to provide for a three percent sales, services, and use tax."

Roll call was requested by De Groot of Lyon and Bennett of Ida.

On the question "Shall amendment H—3060 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 1:

Menke

Amendment H—3060 lost.

Hanson of Delaware offered the following amendment H—3067 filed from the floor by Hanson, McKean, Van Gerpen and Handorf and moved its adoption:

H—3067

Amend Senate File 184 as passed by the Senate as follows:

1. Page 3, by inserting after line 27 the following:

"Sec. . The provisions of sections 1, 2, 3, and 5 of this Act are temporary and in effect only through June 30, 1984 and such sections are reenacted as of July 1, 1984 in the form as they existed prior to the effective date of this Act in order to provide

for a three percent sales, services, and use tax.
Section 4 of this Act is repealed effective July 1, 1984."
2. Renumber as required.

Roll call was requested by Welden of Hardin and Hanson of Delaware.

On the question "Shall amendment H—3067 be adopted?"

The ayes were, 41:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Mullins	Paulin
Pellett	Renaud	Renkin	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden
Woods			

The nays were, 57:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Zimmerman
Mr. Speaker			

Absent or not voting, 2:

Black	Menke

Amendment H—3067 lost.

Schnekloth of Scott offered the following amendment H—3068 filed from the floor by Schnekloth, Rensink, Pellett, Stueland and Welden:

H–3068

Amend Senate File 184 as passed by the Senate as follows:

1. Page 3, by inserting after line 27 the following:

"Sec. . The provisions of sections 1, 2, 3 and 5 of this Act are temporary and in effect only until the time provided in this Act. On or before April 10 each year, the state comptroller shall certify to the director of revenue the percentage of increase or decrease in the state general fund revenues, adjusted for changes in rate or basis, for the current fiscal year over the preceding fiscal year. If the growth in state general fund revenues in the current fiscal year exceeds by four percent the state general fund revenues for the preceding fiscal year, the provisions of sections 1, 2, 3, and 5 are reenacted as of July 1 of that year in the form as they existed prior to the effective date of this Act in order to provide for a three percent sales, services and use tax."

2. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Schroeder of Pottawattamie offered the following amendment H–3081, to amendment H–3068, filed by him from the floor and moved its adoption:

H–3081

Amend amendment H–3068 to Senate File 184 as follows:

1. Page 1, by striking line 12 and inserting in lieu thereof the following: "fiscal year to date over the preceding fiscal year to date. If the".

Amendment H–3081 was adopted.

Schnekloth of Scott moved the adoption of amendment H–3068, as amended.

Roll call was requested by Schnekloth of Scott and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H–3068 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 2:

Menke	Shoultz

Amendment H—3068, as amended, lost.

Carpenter of Polk offered the following amendment H—3071 filed from the floor by Carpenter, Halvorson of Clayton, Bennett, Hoffmann-Bright and McIntee:

H—3071

Amend Senate File 184 as passed by the Senate as follows:

1. Page 3, by inserting after line 27 the following:

"Sec. . Notwithstanding chapter 422, division IV and chapter 423, the following transition provisions shall apply in determining whether or not the transaction is subject to the three percent or four percent sales, services, or use tax rate:

1. The four percent sales tax rate applies to sales of tangible personal property where the sales

contract is entered into on or after March 1, 1983.

2. The four percent use tax rate applies to the use of tangible personal property in this state where the first taxable use occurs on or after March 1, 1983.

3. The four percent services tax rate applies to the rendering, furnishing, or performing of services where the service contract is entered into on or after March 1, 1983.

4. If a service contract is consummated in this state, the four percent use tax rate applies when the service contract is entered into on or after March 1, 1983.

5. If the product or result of a taxable service contract which is consummated outside of this state is first used in this state on or after March 1, 1983, the four percent use tax rate applies.

6. If a service contract is entered into prior to March 1, 1983 and the contract requires periodic payments, payments made or due on or after March 1, 1983 under the contract are subject to the four percent sales, services, or use tax rate.

7. Gross receipts from the sales, furnishing, or service of gas, electricity, water, heat, and communication service are subject to the sales, services, and use tax at the four percent rate when the date of billing the customer falls on or after March 1, 1983.

8. The four percent use tax rate applies to motor vehicles subject to registration when the vehicles are registerd on or after March 1, 1983."

2. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Doderer of Johnson rose on a point of order that amendment H—3071 was not germane.

The Speaker ruled the point well taken and amendment H—3071 not germane.

Carpenter of Polk moved that the rules be suspended to consider amendment H—3071.

Roll call was requested by Carpenter of Polk and Swearingen of Keokuk.

On the question "Shall the rules be suspended to consider amendment H—3071?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 1:

Cochran

The motion lost.

McIntee of Black Hawk offered the following amendment H–3070 filed from the floor by McIntee, Mullins, De Groot, Lageschulte, Handorf, Hoffmann-Bright, Diemer, Van Gerpen and Halvorson of Clayton:

H–3070

Amend Senate File 184 as passed by the Senate as follows:

1. Page 3, by inserting after line 27 the following:

"Sec. . NEW SECTION.

1. There is appropriated from the general fund of the state for each fiscal year beginning on or after July 1, 1983 to the energy policy council the amount of the additional one percent sales, services, and use tax collected as a result of the increase in the tax rate from three to four percent on the sales, furnishing, or service of gas, electricity,

and heat during the previous fiscal year to be used as provided in subsections 2 and 3.

2. One-half of the amount appropriated under subsection 1 for each fiscal year shall be expended by the energy policy council to provide energy assistance and weatherization as provided in Pub. L. No. 97-35, Title XXVI. Unencumbered and unobligated funds remaining at the end of the fiscal year revert to the state general fund.

3. One-half of the amount appropriated under subsection 1 for each fiscal year shall be used by the energy policy council to provide low interest loans to small businesses and to low or moderate income families as defined in section 220.1 to provide energy assistance and weatherization for the small business or the low or moderate income family. Funds not loaned or for which a contract has been executed to provide for a loan at the end of the fiscal year shall revert to the state general fund. Payments of interest and principle on loans made shall be deposited in and credited to the state general fund upon receipt by the council of the payments."

2. Title page, line 3, by inserting after the word "contractors," the words "providing for appropriations,".

Cochran of Webster in the chair at 7:06 p.m.

Doderer of Johnson rose on a point of order that amendment H—3070 was not germane.

The Speaker ruled the point well taken and amendment H—3070 not germane.

McIntee of Black Hawk moved that the rules be suspended to consider amendment H—3070.

Roll call was requested by Krewson of Polk and McKean of Jones.

On the question "Shall the rules be suspended to consider amendment H—3070?".

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot

Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Cochran)

Absent or not voting, none.

The motion lost.

Schroeder of Pottawattamie offered the following amendment H—3073 filed by him from the floor:

H—3073

Amend Senate File 184 as passed by the Senate as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 422.43, unnumbered paragraphs 1 and 2, Code 1983, are amended to read as follows:

There is ~~hereby~~ imposed a tax of ~~three~~ four percent upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in the state to consumers or users; a like rate of tax upon the gross receipts from the sales, furnishing or service of gas, electricity, water, heat, and communication service, including the gross receipts from such sales by any municipal corporation furnishing gas, electricity,

water, heat, and communication service to the public in its proprietary capacity, except as otherwise provided in this division, when sold at retail in the state to consumers or users; ~~and~~ a like rate of tax upon the gross receipts from all sales of tickets or admissions to places of amusement, fairs, and athletic events except those of elementary and secondary educational institutions; and a like rate of tax upon that part of private club membership fees or charges paid for the privilege of participating in any athletic sports provided club members.

There is ~~hereby~~ imposed ~~a~~ tax of ~~three~~ four percent upon the gross receipts derived from the operation of all forms of amusement devices and games of skill, games of chance, raffles and bingo games as defined in chapter 99B, and commercial amusement enterprises operated or conducted within the state of Iowa, ~~such~~ the tax to be collected from the operator in the same manner as is provided for the collection of taxes upon the gross receipts of tickets or admission as provided in this section.

Sec. 2. Section 422.43, unnumbered paragraph 4, Code 1983, is amended to read as follows:

There is imposed a tax of ~~three~~ four percent upon the gross receipts from the sales of optional service or warranty contracts which provide for the furnishing of labor and materials and require the furnishing of any taxable service enumerated under this section. The gross receipts are subject to tax even if some of the services furnished are not enumerated under this section. For the purpose of this division, the sale of an optional service or warranty contract is a sale of tangible personal property. ~~No additional~~ Additional sales, services or use tax shall not be

Page 2

levied on services, parts, or labor provided under optional service or warranty contracts which are subject to tax under this section.

Sec. 3. Section 422.43, unnumbered paragraphs 8 and 9, Code 1983, are amended to read as follows:

~~The tax herein levied shall be computed and collected as hereinafter provided. The tax herein imposed shall be at the rate of three percent.~~

There is ~~hereby~~ imposed, a tax of ~~three~~ four percent upon the gross receipts from the rendering, furnishing, or performing of services as defined in section 422.42.

Sec. 4. Section 422.47, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. Construction contractors may make

application to the department for a refund of the additional one percent tax paid under this division or the additional one percent tax paid under chapter 423 by reason of the increase in the tax from three to four percent for taxes paid on goods, wares, or merchandise under the following conditions:

a. The goods, wares, or merchandise are incorporated into an improvement to real estate in fulfillment of a written contract fully executed prior to April 1, 1983. The refund shall not apply to equipment transferred in fulfillment of a mixed construction contract.

b. The contractor has paid to the department or to a retailer the full four percent tax.

c. The claim is filed on forms provided by the department and is filed within one year of the date the tax is paid.

A contractor who makes an erroneous application for refund shall be liable for payment of the excess refund paid plus interest at the rate in effect under section 421.7. In addition, a contractor who willfully makes a false application for refund is guilty of a simple misdemeanor and is liable for a penalty equal to fifty percent of the excess refund claimed. Excess refunds, penalties, and interest due under this subsection may be enforced and collected in the same manner as the tax imposed by this division.

NEW SUBSECTION.

a. A residential consumer of gas, electricity, or other consumable energy source, water and sewer service may apply to the director for a refund of twenty-five percent of the tax paid under this division or under chapter 423 under the following conditions:

(1) The residential consumer has paid to the retailer or the department the full four percent tax.

(2) The claim is filed on forms provided by the

Page 3

department and is filed within one year of the date the tax is paid.

b. As an alternative to filing of the claim for refund the department may authorize the public utility which provides the gas, electricity, or other consumable energy source, water or sewer service to credit the amount of refund to the residential consumer on the consumer's next utility bill.

Sec. 5. Section 423.2, Code 1983, is amended to read as follows:

423.2 IMPOSITION OF TAX. An excise tax is imposed on the use in this state of tangible personal property

purchased for use in this state, at the rate of ~~three~~ four percent of the purchase price of the property. The excise tax is imposed upon every person using the property within this state until the tax has been paid directly to the county treasurer or the state department of transportation, to a retailer, or to the department ~~as hereinafter provided~~. An excise tax is imposed on the use in this state of services enumerated in section 422.43 at the rate of ~~three~~ four percent. This tax is applicable where services are rendered, furnished, or performed in this state or where the product or result of the service is used in this state. This tax is imposed on every person using the services or the product of the services in this state until the user has paid the tax either to an Iowa use tax permit holder or ~~has paid the tax~~ to the department of revenue.

Sec. 6. Section 422.16, subsection 2, Code 1983, is amended to read as follows:

2. A withholding agent required to deduct and withhold tax under subsections 1 and 12, except those required to deposit on a semimonthly basis, shall deposit for each calendar quarterly period, on or before the last day of the month following the close of the quarterly period, on a quarterly deposit form as prescribed by the director and shall pay to the department, in the form of remittances made payable to "Treasurer, State of Iowa", the tax required to be withheld, or the tax actually withheld, whichever is greater, under subsections 1 and 12. However, a withholding agent who withholds more than fifty dollars in any one month, except those required to deposit on a semimonthly basis, shall deposit with the department the amount withheld, with a monthly deposit form as prescribed by the director. The monthly deposit form is due on or before the fifteenth day of the month following the month of withholding, except that a deposit is not required for the amount

Page 4

withheld in the third month of the quarter but the total amount of withholding for the quarter shall be computed and the amount by which the deposits for that quarter fail to equal the total quarterly liability is due with the filing of the quarterly deposit form. The quarterly deposit form is due ~~within the month~~ on or before the last day of the month following the end of the quarter. A withholding agent who withholds more than ~~eight thousand~~ two hundred fifty dollars in a semimonthly period shall

deposit with the department the amount withheld, with a semimonthly deposit form as prescribed by the director. The first semimonthly deposit form for the period from the first of the month through the fifteenth of the month is due on the twenty-fifth day of the month in which the withholding occurs. The second semimonthly deposit form for the period from the sixteenth of the month through the end of the month is due on the tenth day of the month following the month in which the withholding occurs.

Every withholding agent on or before the end of the second month following the close of the calendar year in which the withholding occurs shall make an annual reporting of taxes withheld and other information prescribed by the director and send to the department copies of wage and tax statements with the return.

If the director has reason to believe that the collection of the tax provided for in subsections 1 and 12 is in jeopardy, the director may require the employer or withholding agent to make the report and pay the tax at any time, in accordance with section 422.30. The director may authorize incorporated banks, trust companies, or other depositories authorized by law which are depositories or financial agents of the United States or of this state, to receive any tax imposed under this chapter, in the manner, at the times, and under the conditions the director prescribes. The director shall also prescribe the manner, times, and conditions under which the receipt of the tax by those depositories is to be treated as payment of the tax to the department.

Sec. 7. Section 422.16, subsection 2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a withholding agent elects or is required by department rule to make monthly deposits, the withholding agent shall remit tax monthly for at least twelve months. Failure to timely remit tax monthly shall subject the withholding

Page 5

agent to late filing or late payment penalties and interest. If a withholding agent elects or is required by department rule to make semimonthly deposits, the withholding agent shall remit tax semimonthly for at least twelve months. Failure to timely remit tax semimonthly shall subject the withholding agent to late filing or late payment penalties and interest. Withholding agents may petition the director and

request that tax be remitted less frequently when it can be shown that the amount of tax withheld no longer requires tax to be remitted monthly or no longer requires tax to be remitted semimonthly.

Sec. 8. Section 422.52, subsection 1, Code 1983, is amended to read as follows:

1. The tax levied under this division is due and payable in quarterly installments on or before the last day of the month following each quarterly period except as otherwise provided in this subsection. Every retailer who collects more than ~~four thousand~~ five hundred dollars in retail sales tax in a semimonthly period shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected or an amount equal to not less than one-sixth of the tax collected and paid to the department during the preceding quarter, with a deposit form for the semimonthly period as prescribed by the director. Alternatively, a retailer required to remit on a semimonthly basis may deposit an amount equal to the amount collected or one-sixth of the tax collected and paid to the department during the same calendar quarter of the preceding year. The first semimonthly deposit form is for the period from the first of the month through the fifteenth of the month and is due on or before the twenty-fifth day of the month. The second semimonthly deposit form is for the period from the sixteenth through the end of the month and is due on or before the tenth day of the month following the month of collection. A deposit is not required for the last semimonthly period of the calendar quarter. The total quarterly amount, less the amount deposited for the five previous semimonthly periods, is due with the quarterly report on the last day of the month following the month of collection. ~~A retailer who collects more than five hundred dollars in retail sales taxes in one month and not more than four thousand dollars in retail sales taxes in a semimonthly period shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected or an amount~~

Page 6

~~equal to not less than one-third of the tax collected and paid to the department during the preceding quarter, with a deposit form for the month as prescribed by the director. The deposit form is due on or before the twentieth day of the month following the month of collection, except a deposit is not~~

~~required for the third month of the calendar quarter and the total quarterly amount, less the amounts deposited for the first two months of the quarter, is due with the quarterly report on the last day of the month following the month of collection.~~ Every retailer who collects more than fifty dollars in one month and not more than five hundred dollars in retail sales tax in ~~one month~~ a semimonthly period shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected, or an amount equal to not less than one-third of the tax collected and paid to the department during the last preceding quarter, with a deposit form for the month as prescribed by the director. The deposit form is due on or before the twentieth day of the month following the month of collection, except a deposit is not required for the third month of the calendar quarter and the total quarterly amount, less the amounts deposited for the first two months of the quarter, is due with the quarterly report on the last day of the month following the month of collection. ~~The monthly remittance procedure is optional for any sales tax permit holder whose average monthly collection of tax amounts to more than twenty-five dollars and less than fifty dollars.~~ If the exact amounts of the taxes due or an amount equal to not less than one-third or one-sixth, as applicable, of the tax collected and paid to the department during the last preceding quarter on the deposit form are not ascertainable by the retailer, or would work undue hardship in the computation of the taxes due by the retailer, the director may provide by rules alternative procedures for estimating the amounts (but not the dates) due by the retailers. The forms prescribed by the director shall be referred to as "retailers semimonthly tax deposit" or "retailers monthly tax deposit". Deposit forms shall be signed by the retailer or the retailer's duly authorized agent, and shall be duly certified by the retailer or agent to be correct. The director may authorize incorporated banks and trust companies or other depositories authorized by law which are depositories or financial agents of the United States, or of this state, to receive any tax imposed under

Page 7

this chapter, in the manner, at the times and under the conditions the director prescribes. The director shall prescribe the manner, times, and conditions under which the receipt of the tax by those

depositories is to be treated as payment of the tax to the department.

Sec. 9. Section 422.52, subsection 1, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a retailer elects or is required by department rule to make monthly deposits, the retailer shall remit tax monthly for at least twelve months. Failure to timely remit tax monthly shall subject the retailer to late filing or late payment penalties and interest. If a retailer elects or is required by department rule to make semimonthly deposits the retailer shall remit tax semimonthly for at least twelve months. Failure to timely remit tax semimonthly shall subject the retailer to late filing or late payment penalties and interest. Retailers may petition the director and request that tax be remitted less frequently when it can be shown that the amount of tax collected no longer requires tax to be remitted monthly or no longer requires tax to be remitted semimonthly.

Sec. 10. Section 423.13, Code 1983, is amended to read as follows:

423.13 PAYMENT TO DEPARTMENT. Each permit holder required or authorized, pursuant to section 423.9 or 423.10, to collect or pay the tax imposed, shall remit to the department the amount of tax, on or before the last day of the month following each calendar quarterly period. However, a retailer who collects or owes more than ~~fifteen~~ five hundred dollars in use taxes in a month shall deposit with the department or in a depository authorized by law and designated by the director, the amount collected or ~~owed~~ an amount equal to not less than one-third of the tax collected and paid during the preceding quarter, with a deposit form for the month as prescribed by the director. The deposit form is due on or before the twentieth day of the month following the month of collection, except a deposit is not required for the third month of the calendar quarter and the total quarterly amount, less the amounts deposited for the first two months of the quarter, is due with the quarterly report on the last day of the month following the month of collection. At that time, the retailer shall file with the department a return for the preceding quarterly period in the

form prescribed by the director showing the sales price of the tangible personal property sold by the

retailer during the preceding quarterly period, the use of which is subject to the tax imposed by this chapter, and other information the director deems necessary for the proper administration of this chapter. The return shall be accompanied by a remittance of the tax for the period covered by the return. If necessary in order to ensure payment to the state of the tax, the director may in any or all cases require returns and payments to be made for other than quarterly periods. The director may, upon request and a proper showing of necessity, grant an extension of time not to exceed thirty days for making any return and payment. Returns shall be signed by the retailer or the retailer's duly authorized agent, and shall be certified by the retailer or agent to be correct.

Sec. 11. Section 423.13, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a permit holder elects or is required by department rule to make monthly deposits, the permit holder shall remit tax monthly for at least twelve months. Failure to timely remit tax monthly shall subject the permit holder to late filing or late payment penalties and interest. The permit holder may petition the director and request that tax be remitted quarterly when it can be shown that the amount of tax collected does not exceed five hundred dollars in a month.

Sec. 12. Sections 6, 8, and 10 take effect April 1, 1983.

Sec. 13. Sections 7, 9, and 11 take effect July 1, 1983.

Sec. 14. This Act, being deemed of immediate importance, takes effect April 1, 1983 from and after its publication in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa, and in the Globe-Gazette, a newspaper published in Mason City, Iowa."

2. Title page, line 3, by inserting after the comma the words "providing for accelerated collections of sales, services, use, and income taxes,".

Arnould of Scott rose on a point of order that amendment H—3073 was not germane.

The Speaker ruled the point well taken and amendment H—3073 not germane.

Schroeder of Pottawattamie asked for unanimous consent to suspend the rules to consider amendment H—3073.

Objection was raised.

Schroeder of Pottawattamie moved that the rules be suspended to consider amendment H—3073.

A non-record roll call was requested.

The ayes were 40, nays 59.

The motion lost.

Harbor of Mills offered the following amendment H—3075 filed from the floor by Harbor, Welden, De Groot, Van Maanen, Stueland, Rensink, Anderson, Tofte, Branstad, Royer, Corey and Swearingen and moved its adoption:

H—3075

Amend Senate File 184 as passed by the Senate as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 422.43, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding any other provision of this section, the tax imposed by this section shall be at the rate of four percent for the period beginning March 1, 1983 and ending June 30, 1983.

Sec. 2. Section 423.2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding any other provision of this section, the tax imposed by this section shall be at the rate of four percent for the period beginning March 1, 1983 and ending June 30, 1983.

Sec. 3. This Act, being deemed of immediate importance, takes effect March 1, 1983 from and after its publication in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa, and in the Globe-Gazette, a newspaper published in Mason City, Iowa."

Roll call was requested by Harbor of Mills and Stueland of Clinton.

On the question "Shall amendment H—3075 be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 59:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker (Cochran)	

Absent or not voting, 1:

Connolly

Amendment H—3075 lost.

Speaker Avenson in the chair at 7:31 p.m.

Van Gerpen of Black Hawk offered the following amendment H—3076 filed from the floor by Van Gerpen, Daggett, Royer, Corey, Harbor and Halvorson of Clayton:

H—3076

Amend Senate File 184 as follows:

1. Page 1, by striking line 7 and inserting in lieu thereof the following: "the state to consumers or users; on May 1, 1983 a like rate of tax shall be imposed upon the".

Doderer of Johnson rose on a point of order that amendment H—3076 was not germane.

The Speaker ruled the point well taken and amendment H—3076 not germane.

Van Gerpen of Black Hawk moved that the rules be suspended to consider amendment H—3076.

Roll call was requested by Van Gerpen of Black Hawk and Krewson of Polk.

On the question "Shall the rules be suspended to consider amendment H—3076?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 1:

Sullivan

The motion lost.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-nine members present, eleven absent.

Schroeder of Pottawattamie offered the following amendment H—3083 filed by him from the floor:

H—3083

Amend Senate File 184 as passed by the Senate as follows:

1. Page 3, by inserting after line 8 the following:

"NEW SUBSECTION.

a. A residential consumer of gas, electricity, or other consumable energy source, water and sewer service may apply to the director for a refund of one-fourth of the tax paid under this division or under chapter 423 under the following conditions:

(1) The residential consumer has paid to the retailer or the department the full four percent tax.

(2) The claim is filed on forms provided by the department and is filed within one year of the date the tax is paid.

b. As an alternative to filing of the claim for refund the department may authorize the public utility which provides the gas, electricity, or other consumable energy source, water or sewer service to credit the amount of refund to the residential consumer on the consumer's next utility bill."

Doderer of Johnson rose on a point of order that amendment H—3083 was not germane.

The Speaker ruled the point well taken and amendment H—3083 not germane.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3083.

Doderer 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 76 was invoked.

On the question "Shall the bill pass?" (S.F.184)

The ayes were, 62

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
McKean	Menke	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

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.

UNANIMOUS CONSENT TO VOTE

Schroeder of Pottawattamie asked and received unanimous

consent to change his vote from "aye" to "nay" on Senate File 184 and the vote was so recorded.

MOTION TO RECONSIDER TABLED

Norland of Worth moved to reconsider the vote by which Senate File 184 passed the House on February 3, 1983 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 59, nays 37.

The motion to table prevailed.

PERMANENT CHIEF CLERK

Fey of Scott moved that Joseph J. O'Hern be elected permanent Chief Clerk of the House.

The motion prevailed and Joseph J. O'Hern was declared elected permanent Chief Clerk. Mr. O'Hern 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."

INTRODUCTION OF BILLS

House File 152, by committee on small business and commerce, a bill for an act relating to the disposition of unclaimed property by providing when unclaimed deposits and refunds held by utilities are presumed abandoned and by providing when abandoned property must be claimed from the treasurer of state.

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

House File 153, by committee on education, a bill for an act relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs and to make an appropriation.

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

House File 154, by committee on appropriations, a bill for an act relating to the reduction, reversion, and transfer of funds administered by or previously appropriated to the department of social services for the 1982-1983 fiscal year, appropriating funds to the department of social services for capital improvements at the department's correctional, mental health, and mental retardation facilities for the 1983-1984 fiscal year, and providing a publication clause.

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

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

COMMISSION ON COMPENSATION,
EXPENSES, AND SALARIES OF ELECTED STATE OFFICIALS

The Report of the Commission on Compensation, Expenses, and Salaries of Elected State Officials, pursuant to Chapter 2A, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 129 Transportation

Relating to the time periods associated with the operation of a vehicle with a "registration applied for" card.

S.B. 130 Local Government

Relating to a petition to combine the duties of county officers and employees.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2

State Government: Buhr, Chair; Hanson, Lloyd-Jones, Renaud, and Van Maanen.

House Joint Resolution 3

State Government: Halvorson of Webster, Chair; Carpenter, Hammond, Hanson and Pavich.

House File 79

Natural Resources: Baxter, Chair; Hanson and Woods.

House File 88

Natural Resources: Woods, Chair; Skow and Tofte.

House File 96

Local Government: Running, Chair; Renaud and Renken.

House File 98

Agriculture: Gruhn, Chair; Anderson, Cochran, Pellett and Skow.

House File 105

Agriculture: Halvorson of Webster, Chair; Copenhaver, De Groot, Fogarty and Pellett.

House File 111

Natural Resources: Black, Chair; Gruhn and McKean.

House File 112

Agriculture: Skow, Chair; Carter and Van Maanen.

House File 114

Natural Resources: O'Kane, Chair; Fogarty and Pellett.

House File 117

Agriculture: Muhlbauer, Chair; Hughes and Stueland.

House File 118

Local Government: Menke, Chair; Connors and Peick.

House File 119

Finance: Halvorson of Webster, Chair; Arnould and Hanson.

House File 121

Transportation: Renaud, Chair; Osterberg and Van Camp.

House File 123

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 124

Agriculture: Skow, Chair; Carter and Van Mannen

House File 126

Natural Resources: Black, Chair; Gruhn and McKean.

House File 127

Agriculture: Koenigs, Chair; Muhlbauer and Rensink.

House File 129

Natural Resources: Black, Chair; Gruhn and McKean.

Senate Concurrent Resolution 8

Finance: Connolly, Chair; Branstad and Halvorson of Webster.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 65

State Government: Halvorson of Webster, Chair; Hoffmann-Bright and Swartz.

Study Bill 67

Judiciary and Law Enforcement: Brammer, Chair; Clark and Miller.

Study Bill 70

Judiciary and Law Enforcement: Varn, Chair; Haverland and Maulsby.

Study Bill 71

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 72

Judiciary and Law Enforcement: Jay, Chair; Doderer, Maulsby, McKean and Parker.

Study Bill 76

Judiciary and Law Enforcement: Schroeder, Chair; Hammond and Parker.

Study Bill 80

Education: Groth, Chair; Daggett, Jay, Krewson and Ollie.

Study Bill 81

Education: Groth, Chair; Daggett, Jay, Krewson and Ollie.

Study Bill 83

State Government: Carpenter, Chair; Blanshan, Lloyd-Jones, Pavich and Swearingen.

Study Bill 84

Transportation: Woods, Chair; Renaud and Welden.

Study Bill 87

Local Government: O'Kane, Chair; Connors and Lloyd-Jones.

Study Bill 88

Judiciary and Law Enforcement: Jay, Chair; Chapman, Halvorson of Clayton, McIntee and Varn.

Study Bill 89

Judiciary and Law Enforcement: Jay, Chair; Doderer, Maulsby, McKean and Parker.

Study Bill 91

Natural Resources: Groth, Chair; Stueland and Tabor.

Study Bill 92

Natural Resources: Groth, Chair; Stueland and Tabor.

Study Bill 93

Natural Resources: Groth, Chair; Stueland and Tabor.

Study Bill 94

Natural Resources: Groth, Chair; Stueland and Tabor.

Study Bill 95

Small Business and Commerce: Chiodo, Chair; Gronstal and Schroeder.

Study Bill 96

Judiciary and Law Enforcement: Jay, Chair; Doderer, Maulsby, McKean and Parker.

Study Bill 97

Judiciary and Law Enforcement: Knapp, Chair; Holveck and McIntee.

Study Bill 98

Judiciary and Law Enforcement: Jay, Chair; Doderer, Maulsby, McKean and Parker.

Study Bill 100

Energy: Osterberg, Chair; Royer and Sullivan.

Study Bill 101

Energy: Osterberg, Chair; Royer and Sullivan.

Study Bill 102

Finance: Jochum, Chair; Arnould and Krewson.

Study Bill 103

Local Government: O'Kane, Chair; Lloyd-Jones, Menke, Sherzan and Torrence.

Study Bill 104

Ways and Means: Schnekloth, Chair; Connolly, Diemer, Koenigs and Pavich.

Study Bill 105

Local Government: Lloyd-Jones, Chair; Buhr, Connors, Hermann and Swearingen.

Study Bill 106

Local Government: O'Kane, Chair; Connors, Grandia, Renken and Spear.

Study Bill 107

Local Government: O'Kane, Chair; Menke and Swearingen.

Study Bill 108

Local Government: Lageschulte, Chair; Cooper and Royer.

Study Bill 109

Local Government: Lageschulte, Chair; Cooper and Royer.

Study Bill 110

Local Government: Royer, Chair; Oxley and Torrence.

Study Bill 111

Local Government: Royer, Chair; Oxley and Torrence.

Study Bill 112

Local Government: Cooper, Chair; Black and Tofte.

Study Bill 113

Local Government: Cooper, Chair; Black and Tofte.

Study Bill 116

Judiciary and Law Enforcement: Varn, Chair; Corey and Tabor.

Study Bill 117

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 118

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 119

Human Resources: Carl, Chair; Arnould, Copenhaver, Daggett, Fey, Hammond, Hermann, Lonergan and Rensink.

Study Bill 120

Human Resources: Carl, Chair; Arnould, Copenhaver, Daggett, Fey, Hammond, Hermann, Lonergan and Rensink.

Study Bill 121

Human Resources: Carl, Chair; Arnould, Copenhaver, Daggett, Fey, Hammond, Hermann, Lonergan and Rensink.

Study Bill 122

Human Resources: Carl, Chair; Arnould, Copenhaver, Daggett, Fey, Hammond, Hermann, Lonergan and Rensink.

Study Bill 129

Transportation: Pavich, Chair; Bennett and Fogarty.

Study Bill 130

Local Government: Cooper, Chair; Grandia and Hermann.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to the hospital-schools revolving fund, appropriating funds for capital improvements at the hospital-schools for the 1983-1984 fiscal year, and providing a publication clause.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 1983.

Committee Bill, to provide for the reversion of unencumbered balances in the depreciation fund of the state vehicle dispatcher as of September 30, 1982 to the general fund of the state.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 1983.

Committee Bill, relating to the reduction, reversion, and transfer of funds administered by or previously appropriated to the department of social services for the 1982-1983 fiscal year, appropriating funds to the department of social services for capital improvements at the department's correctional, mental health, and mental retardation facilities for the 1983-1984 fiscal year, and providing a publication clause.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 1983.

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 23), terminating free and appropriate public education for children requiring special education at age twenty-one.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly Study Bill 22), permitting a hospital service corporation to contract with an ambulatory surgical facility to provide surgical services to the subscribers of the hospital service corporation and defining ambulatory surgical facility to mean a facility constructed to provide ambulatory surgery to patients admitted and discharged the same day.

Fiscal Note is not required.

Recommendation **Do Pass** February 2, 1983.

Committee Bill (Formerly Study Bill 95), relating to when unclaimed deposits and refunds held by utilities are presumed abandoned.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 1983.

COMMITTEE ON TRANSPORTATION

House File 57, a bill for an act relating to the accident report filed by law enforcement officers with the department of transportation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3053** February 2, 1983.

Committee Bill (Formerly House File 70), requiring children under the age of five being transported in cars or pickups to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 1983.

Committee Bill (Formerly Study Bill 30), relating to the allowable speed of school buses.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 1983.

AMENDMENTS FILED

H–3053	H.F.	57	Committee on Transportation
H–3054	H.F.	46	Van Maanen of Mahaska
H–3055	H.C.R.	7	Schroeder of Pottawattamie
H–3078	H.F.	46	Spear of Lee
H–3079	H.F.	68	Spear of Lee
H–3080	H.F.	140	Hanson of Delaware
Carpenter of Polk			Welden of Hardin
Doderer of Johnson			Schroeder of Pottawattamie
Chiodo of Polk			Parker of Jasper
			Clark of Cerro Gordo
H–3082	H.F.	140	Spear of Lee
H–3084	H.F.	46	Spear of Lee

On motion by Norland of Worth, the House adjourned at 8:38 p.m., until 10:00 a.m., Monday, February 7, 1983.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day—Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 7, 1983

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

Prayer was offered by the Reverend Perry De Groot, pastor of the Bethany Reformed Church, Des Moines.

The Journal of Thursday, February 3, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Edward P. Schelonka, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swartz of Marshall on request of Groth of Buena Vista; Chapman of Linn on request of Jay of Appanoose.

INTRODUCTION OF BILLS

House File 155, by committee on education, a bill for an act relating to funds available to area education agencies for special education support services.

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

House File 156, by committee on small business and commerce, a bill for an act permitting a hospital service corporation to contract with an ambulatory surgical facility to provide surgical services to the subscribers of the hospital service corporation and defining ambulatory surgical facility to mean a facility constructed to provide ambulatory surgery to patients admitted and discharged the same day.

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

House File 157, by committee on transportation, a bill for an act relating to the allowable speed of school buses.

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

House File 158, by committee on transportation, a bill for an act requiring children under the age of five being transported in cars or pickups to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective date.

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 2, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 145, a bill for an act requiring the state department of transportation to dispose of all right of way owned by the department and not needed for projects by July 1, 1992.

K. MARIE THAYER, Secretary

HOUSE FILE 141 WITHDRAWN

Doderer of Johnson asked and received unanimous consent to withdraw House File 141 from further consideration by the House.

CONSIDERATION OF BILLS
Regular Calendar

House File 68, a bill for an act relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, by providing that mobile homes are subject to security interests in the same manner as other vehicles subject to registration, and making certain provisions of the Act retroactive, with report of committee recommending amendment and passage was taken up for consideration.

O'Kane of Woodbury offered the following amendment H–3046 filed by the committee on ways and means and moved its adoption:

H–3046

Amend House File 68 as follows:
1. Page 1, line 21, by striking the words "semiannual payment of" and inserting in lieu thereof the words "payment of property".
2. Page 1, line 23, by striking the words "semiannual payment of" and inserting in lieu thereof the words "payment of property".

The committee amendment H–3046 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H–3079 filed by him on February 3, 1983.

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. 68)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Tofte

Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Chapman	Jay	Swartz

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

IMMEDIATE MESSAGE
(House File 68)

Menke of O'Brien asked and received unanimous consent to immediately message House File 68 to the Senate.

House File 133, a bill for an act relating to the consolidation of certain special education categories, was taken up for consideration.

Spear of Lee in the chair at 10:25 a.m.

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

On the question "Shall the bill pass?" (H.F. 133)

The ayes were, 88:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	Davitt	De Groot	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin

Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Sherzan	Shoultz	Skow
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Spear)

The nays were, 10:

Copenhaver	Diemer	Halvorson, R. A.	Harbor
Hummel	Knapp	Maulsby	Renken
Schnekloth	Schroeder		

Absent or not voting, 2:

Chapman	Swartz

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

House File 132, a bill for an act relating to the costs of certain services provided by an area education agency and requested by a local board of education, was taken up for consideration.

Ollie 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. 132)

The ayes were, 93:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson

Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoultz
Skow	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Spear)			

The nays were, 5:

Harbor	Hummel	Pellett	Renken
Schroeder			

Absent or not voting, 2:

Chapman	Swartz

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

Speaker Avenson in the chair at 10:50 a.m.

House File 128, a bill for an act authorizing the transfer of certain cases involving mental health commitments from the county of commitment to the county of legal settlement, was taken up for consideration.

Doderer 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. 128)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer

Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Chapman	Swartz

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

ADOPTION OF HOUSE RESOLUTION 4

Norland of Worth called up for consideration House Resolution 4, relating to the House code of ethics and lobbyist rules for the Seventieth General Assembly, filed on February 1, 1983 and found on pages 269 through 274 of the House Journal.

Copenhaver of Buchanan offered the following amendment H–3051 filed by him and moved its adoption:

H–3051

Amend House Resolution 4 as follows:
1. Page 7, line 23, by striking the number "25" and inserting in lieu thereof the number "20".

Amendment H–3051 was adopted.

On motion by Copenhaver of Buchanan, the resolution, as amended, was adopted.

On motion by Norland of Worth, the House was recessed at 11:08 a.m., until 11:45 a.m.

The House reconvened, Connors of Polk in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate on February 2, 1983:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 4, a bill for an act relating to the performance of public service as restitution by offenders not reasonably able to pay all or part of court costs, court-appointed attorney's fees, or the expense of a public defender.

Also: That the Senate has on January 31, 1983, passed (with amendment S–3027 adopted) the following bill in which the concurrence of the House is asked:

Senate File 88, a bill for an act relating to the amount of land owned by a merged area.

K. MARIE THAYER, Secretary

COMMUNICATIONS RECEIVED

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

BUREAU OF LABOR

A report showing the accomplishments and activities in the field of occupational safety and health, also a report of the Athletic Commission for 1982, pursuant to Chapters 91.5 and 88.19, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

The Annual Report, July 1, 1981 to July 1, 1982, pursuant to Chapter 310.36, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 102 (Revised) Finance

Relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds.

S.B. 131 Transportation

Relating to the refund of prorated registration fees.

S.B. 132 Transportation

To exempt from registration fees and issue official registration plates for any official vehicle leased for a period of sixty days or more by a governmental body.

S.B. 133 Transportation

Relating to restricting the motor vehicle operating privileges of an individual required to show proof of financial responsibility and relating to the minimum time limit of a certificate of insurance, and providing a penalty.

S.B. 134 Transportation

To require manufacturers and importers to provide manufacturer's and importer's certificates in the form prescribed by the department of transportation.

S.B. 135 Transportation

To provide that the state railroad inspection program is not contingent upon federal funding or participation.

S.B. 136 Energy

Relating to projects for which industrial development bonds may be issued by a city or county.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

Senate Concurrent Resolution 8, a concurrent resolution providing for the board of regents to issue bonds for construction at the state university of Iowa hospitals.

Fiscal Note is required.

Recommended **Do Pass** February 7, 1983.

AMENDMENTS FILED

H–3085	H.F. 131	Hanson of Delaware Renken of Grundy
H–3086	H.F. 74	Rosenberg of Story
H–3087	H.F. 140	Hanson of Delaware
H–3088	H.F. 46	Schroeder of Pottawattamie
H–3089	H.F. 140	Spear of Lee
H–3090	H.F. 120	Corey of Louisa Halvorson of Clayton
H–3091	H.F. 120	Groth of Buena Vista

On motion by Norland of Worth, the House adjourned at 11:59 a.m., until 9:00 a.m., Tuesday, February 8, 1983.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day — Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 8, 1983

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

Prayer was offered by the Reverend Peter Anderson, pastor of the Zion Lutheran Church, Clinton.

The Journal of Monday, February 7, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, Marshalltown.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor on request of Corey of Louisa.

INTRODUCTION OF BILLS

House File 159, by Rensink and Skow, a bill for an act to allow the certified abstract of a person's motor vehicle operating record to be obtained from the county sheriff.

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

House File 160, by committee on appropriations, a bill for an act to provide for the reversion of unencumbered balances in the depreciation fund of the state vehicle dispatcher as of September 30, 1982 to the general fund of the state.

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

House File 161, by committee on appropriations, a bill for an act relating to the hospital-schools revolving fund, appropriating funds for capital improvements at the hospital-schools for the 1983-1984 fiscal year, and providing a publication clause.

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

House File 162, by committee on education, a bill for an act relating to the age of termination of education for children requiring special education.

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

House File 163, by Lageschulte, a bill for an act to increase the maximum amount awarded for Iowa tuition grants and vocational-technical grants.

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

House File 164, by Daggett, a bill for an act relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

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

House File 165, by Renaud, Parker, Sherzan, Woods, Tabor, O'Kane, Pavich and Gronstal, a bill for an act providing for the promotion, encouragement and assistance of small businesses in this state, by providing for the reservation of certain state purchase contracts for small businesses, establishing a small business division within the Iowa development commission, and making appropriations.

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

House File 166, by Lloyd-Jones, Groninga, Skow, Blanshan, O'Kane, Peick, Baxter and Shoultz, a bill for an act relating to the rights and duties of persons riding a bicycle or animal or driving an animal drawing a vehicle under the motor vehicle provisions of the Code.

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

House File 167, by Miller, a bill for an act providing that the possession, transportation, and warehousing of fireworks is a serious misdemeanor subject to the prescribed penalties.

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

House File 168, by Koenigs, a bill for an act requiring an animal drawn vehicle to display amber flashing lights when on the highway and making penalties applicable.

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

House File 169, by Renaud, Diemer, Parker, Poncy, Sherzan, Woods, Tabor, O'Kane, Pavich and Gronstal, a bill for an act establishing a time limit for completion of audits of units of local government.

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

House File 170, by Rosenberg, a bill for an act relating to the payment of restitution to certain persons.

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

House File 171, by Mullins, a bill for an act to provide for direct election of members of area education agency boards of directors.

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

House File 172, by Rosenberg, a bill for an act relating to hazardous waste, providing for technical assistance to cities and counties, compensation to cities or counties in which a facility is located, and victim relief.

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

House File 173, by Van Maanen and Skow, a bill for an act relating to filing of an application for an exemption from the property tax for pollution-control equipment.

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

House File 174, by Rosenberg, a bill for an act relating to the time by which a court shall set out the amount of restitution in a criminal case.

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

House File 175, by Doderer, Mullins and Tabor, a bill for an act relating to the effect of the civil rights chapter on sex discrimination in retirement plans and benefit systems.

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

House File 176, by Oxley, Peick, Chapman, Running, Osterberg and Brammer, a bill for an act providing that a political party or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with another qualified organization to conduct the games of skill, games of chance, or raffles.

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

House File 177, by Hughes, a bill for an act to require majority approval of bond issues of school corporations and merged area schools.

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

House File 178, by Pavich, Fey, Woods, Renaud, Groninga and Jochum, a bill for an act relating to lotteries by providing for a local option city lottery by majority vote of the eligible voters, a state director of lotteries, a city lottery commissioner, a city lottery fund for deposit of receipts and for payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary to carry out intent of the Act, making certain acts illegal, and providing a penalty for their commission.

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

House File 179, by Corey, a bill for an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

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

House File 180, by Mullins, a bill for an act to establish a long-term care citizens' aide within the Iowa commission on the aging.

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

House File 181, by Schroeder, a bill for an act to legalize proceedings taken by the board of supervisors of Pottawattamie county relating to the sale of certain properties.

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

House File 182, by Poncy, a bill for an act to provide limited tax incentives for the improvement, repair, and maintenance of residential property by allowing a ten-year tax moratorium for certain improvements to buildings, with certain exceptions.

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

House File 183, by Spear, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service.

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

SENATE MESSAGES CONSIDERED

Senate File 4, by Doyle, a bill for an act relating to the performance of public service as restitution by offenders not reasonably able to pay all or part of court costs, court-appointed attorney's fees, or the expense of a public defender.

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

Senate File 88, by Wells, a bill for an act relating to the amount of land owned by a merged area.

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

Senate File 145, by committee on transportation, a bill for an act requiring the state department of transportation to dispose of all right of way owned by the department and not needed for projects by July 1, 1992.

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 3, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 116, a bill for an act relating to the certified eligible list for promotion for city civil service.

Also: That the Senate has on February 3, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 132, a bill for an act relating to the examination and settlement of accounts of county officers or employees.

K. MARIE THAYER, Secretary

PROOF OF PUBLICATION
(House File 181)

Published copy of House File 181 and verified proof of publication of said bill in the Gazette, a weekly newspaper printed and published in Neola, Pottawattamie County, Iowa on December 30, 1982 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

On motion by Norland of Worth, the House was recessed at 9:20 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Connors of Polk in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-six members present, thirty-four absent.

INTRODUCTION OF BILL

House File 184, by committee on finance, a bill for an act relating to the financial management of state and local programs by

providing for the reduction, transfer, appropriation or reversion of state and local funds; the time when unclaimed deposits and refunds held by utilities are presumed abandoned, crediting the unclaimed deposits and refunds, and when abandoned property must be claimed from the treasurer of state; relating to funds available to area education agencies for special education support services; and relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs.

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

CONSIDERATION OF BILLS
Regular Calendar

House File 120, a bill for an act to provide an option for meeting school year requirements, was taken up for consideration.

Groth of Buena Vista offered the following amendment H–3091 filed by him and moved its adoption:

H–3091

Amend House File 120 as follows:

1. Page 1, line 6, by striking the words "thirty-six weeks of five school days each" and inserting in lieu thereof the words "~~thirty-six weeks of five school~~ one hundred eighty days ~~each~~".

2. Page 1, by striking lines 11 and 12 and inserting in lieu thereof the words "program for an innovative school year. The number of days per year that school is in session".

3. Page 1, line 21, by striking the word "approved" and inserting in lieu thereof the words "approval or denial of".

4. Page 1, by inserting after line 30 the following section:

"Sec. . Section 299.1, unnumbered paragraph 1, Code 1983, is amended to read as follows:

~~Any~~ A person having control of ~~any~~ a child over seven and under sixteen years of age, in proper physical and mental condition to attend school, shall cause ~~said~~ the child to attend some public school for at least ~~twenty-four consecutive school weeks~~ one hundred twenty days in each school year, commencing with the first week of school after the first day

of September, unless the board of school directors ~~shall determine upon~~ establishes a later date, which date shall not be later than the first Monday in December."

5. Amend the title, line 1, by striking the words "to provide an option for meeting" and inserting in lieu thereof the words "relating to".

6. By renumbering sections as necessary.

Amendment H—3091 was adopted.

Carter of Henry offered the following amendment H—3049 filed by him:

H—3049

Amend House File 120 as follows:

1. Page 1, line 9, by striking the word "The" and inserting in lieu thereof the words and figures "For the school year beginning July 1, 1984 through the school year beginning July 1, 1988, the".

Speaker Avenson in the chair at 1:54 p.m.

Carter of Henry moved the adoption of amendment H—3049.

A non-record roll call was requested.

The ayes were 40, nays 55.

Amendment H—3049 lost.

Corey of Louisa offered the following amendment H—3090 filed by him and Halvorson of Clayton:

H—3090

Amend House File 120 as follows:

1. Page 1, by striking lines 27 through 30.

Harbor of Mills asked for unanimous consent to refer House File 120 to the committee on labor and industrial relations.

Objection was raised.

Harbor of Mills moved that House File 120 be referred to the committee on labor and industrial relations.

Roll call was requested by Hummel of Benton and Harbor of Mills.

On the question "Shall House File 120 be referred to the committee on labor and industrial relations?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Skow	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 61:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 1:

Daggett

The motion lost.

Corey of Louisa moved the adoption of amendment H—3090.

Roll call was requested by Running of Linn and Halvorson of Clayton.

On the question "Shall amendment H—3090 be adopted.

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Copenhaver	Corey	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Skow	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 2:

Daggett	Lloyd-Jones

Amendment H—3090 lost.

Schroeder of Pottawattamie asked for unanimous consent to suspend the rules for the immediate consideration of amendment H—3094.

Objection was raised.

Schroeder of Pottawattamie moved that Rule 31.8 be suspended to consider amendment H—3094, filed by him and Doderer of Johnson from the floor as follows:

H-3094

Amend House File 120 as follows:

1. Page 1, by inserting the following after line 8.

"2. The board of directors shall hold a public hearing on any proposal prior to submitting it to the department of public instruction for approval."

2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 46, nays 51.

The motion to suspend Rule 31.8 lost.

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

On the question "Shall the bill pass?" (H.F. 120)

The ayes were, 77:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Tabor	Torrence	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 22:

Anderson	Branstad	Carpenter	Corey
De Groot	Diemer	Grandia	Handorf

Harbor	Hummel	Maulsby	Menke
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Swearingen	Tofte
Van Camp	Van Maanen		

Absent or not voting, 1:

Daggett

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

MOTION TO RECONSIDER
(House File 120)

I move to reconsider the vote by which House File 120 passed the House on February 8, 1983.

STROMER of Hancock

PRESENTATION OF VISITOR

Norland of Worth presented to the House the Honorable Rollie Howell, former member of the House representing Floyd County.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 7, 1983, he approved and transmitted to the Secretary of State the following bill:

Senate File 184, an act increasing the state sales, services, and use tax, providing for refunds under certain circumstances for contractors, and providing a penalty.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF TRANSPORTATION

A copy of the 1983 Iowa Transportation Policy, adopted by the Iowa Transportation Commission, is on file pursuant to Chapter 307.10 (1), Code of Iowa. The commission reaffirmed the 1982 Transportation Policy and made no changes.

RAILWAY FINANCE AUTHORITY

A copy of the 1983 Iowa Railway Finance Authority Policy, adopted by the Railway Finance Authority Board, is on file pursuant to Chapter 307B.8, Code of Iowa. The 1983 Policy is a continuation of the policy adopted in 1980.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 137 Judiciary and Law Enforcement

Relating to the criminal history and intelligence data.

S.B. 138 Local Government

Authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter.

S.B. 139 Transportation

Requiring political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

S.B. 140 Human Resources

Relating to the medical assistance program, including the department of social services' right of subrogation under the medical assistance program, medical assistance recipients' freedom of choice, and the membership of the medical assistance advisory council.

S.B. 141 Judiciary and Law Enforcement

Relating to personal service or original notice.

S.B. 142 Judiciary and Law Enforcement

To allow setoffs against state income tax refunds or rebates any claims to recoup public assistance overpayments by the department of social services.

S.B. 143 State Government

Creating an Iowa council on parks and recreation.

S.B. 144 Agriculture

To authorize the state soil conservation committee to establish a fund from which to make loans for the establishment of soil and water conservation practices and making an appropriation.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

Committee Bill (Formerly Study Bill 102 Revised), relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds; the time when unclaimed deposits and refunds held by utilities are presumed abandoned, crediting the unclaimed deposits and refunds, and when abandoned property must be claimed from the treasurer of state; relating to funds available to area education agencies for special education support services; and relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 7, 1983.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly Study Bills 32, 33, 34 and 35), relating to health care by providing for the creation of a health data commission, by permitting a hospital service corporation to contract with an ambulatory surgical facility for surgical services, by permitting contracts between hospitals and pathologists and radiologists, by amending the membership of the board of directors of nonprofit hospital service corporations, nonprofit medical service corporations, and nonprofit pharmaceutical or optometric service corporations, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 1983.

AMENDMENTS FILED

H—3092	H.F. 46	Spear of Lee
H—3093	H.F. 140	Parker of Jasper
Krewson of Polk		Renaud of Polk
Copenhaver of Buchanan		Cochran of Webster
Doderer of Johnson		Lloyd-Jones of Johnson
		Rosenberg of Story
H—3095	H.F. 46	Schnekloth of Scott
		Anderson of Audubon
H—3096	H.F. 131	Schnekloth of Scott
H—3097	H.F. 57	Spear of Lee

On motion by Norland of Worth, the House adjourned at 2:26 p.m., until 9:00 a.m., Wednesday, February 9, 1983.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day—Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 9, 1983

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

Prayer was offered by the Reverend Phil Hougen, pastor of St. Andrew Lutheran Church, Cedar Rapids.

The Journal of Tuesday, February 8, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stan Roberts, Iowa Lutheran Hospital, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton.

INTRODUCTION OF BILLS

House File 185, by Spear, a bill for an act expanding the workers' compensation second injury fund to cover all preexisting permanent partial disabilities.

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

House File 186, by Carter, a bill for an act relating to membership in the Iowa public employees' retirement system for certain judicial magistrates.

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

House File 187, by Carter, Chapman, Hammond, Varn, Parker, Clark, Corey, Brammer, Tabor, Paulin, Halvorson of Clayton, Rosenberg, Miller and Knapp, a bill for an act relating to an increase in the jurisdictional amount of small claims court to three thousand dollars.

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

House File 188, by Renaud, a bill for an act requiring state banks and savings and loan associations that have account insurance to provide written notice to depositors prior to discontinuing the insurance and establishing penalties for failing to provide the notice.

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

House File 189, by Renaud, a bill for an act requiring state banks and state savings and loan associations to acquire and maintain account insurance on their deposits.

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

House File 190, by Stromer, a bill for an act to allow a drainage district to charge the rate permitted by chapter 74A for delinquent assessments.

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

House File 191, by Shoultz, a bill for an act relating to the birth defects institute within the state department of health.

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

House File 192, by Pavich, Running, Chapman, Woods, Renaud, Groninga, Gronstal, Jochum, Connolly, Halvorson of Clayton and McIntee, a bill for an act relating to the control, distribution, taxation, and private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, declaring certain acts relating to wine to be unlawful and prescribing penalties.

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

House File 193, by McKean, a bill for an act relating to the employment of state inmate labor in public works projects for the state and political subdivisions.

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

House File 194, by Maulsby, a bill for an act to allow a stockholder of a family farm corporation to claim a homestead tax credit on a homestead owned by the corporation and occupied by the stockholder.

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

House File 195, by Hermann, a bill for an act providing for the issuance of free special registration plates to former prisoners of war.

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

SENATE MESSAGES CONSIDERED

Senate File 116, by Wells and Miller of Des Moines, a bill for an act relating to the certified eligible list for promotion for city civil service.

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

Senate File 132, by Carr and Welsh, a bill for an act relating to the examination and settlement of accounts of county officers or employees.

Read first time and referred to committee on **local 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 February 7, 1983, passed the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution 1, relating to the bequest and devise of Lowell E. Walter of the Cedar Rock property to the state of Iowa effective upon publication.

Also: That the Senate has on February 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 155, a bill for an act relating to offensive or dangerous weapons by defining as an offensive weapon certain bullets or projectiles.

Also: That the Senate has on February 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 158, a bill for an act authorizing the board of supervisors to purchase blanket surety bonds for certain county officers and employees.

K. MARIE THAYER, Secretary

HOUSE CONCURRENT RESOLUTION 9

By Committee on Energy

Whereas, the Natural Gas Policy Act of 1978 calls for the gradual decontrol of natural gas prices through 1984; and

Whereas, the president of the United States has repeatedly pledged to accelerate the decontrol of natural gas prices completely and immediately; and

Whereas, Iowans spent nine hundred million dollars on natural gas in 1982 and natural gas prices have increased almost one hundred percent over the last three years; and

Whereas, the current natural gas contract problem between gas producers and pipeline companies is just an extension of the major problem, which is decontrol; and

Whereas, escalating natural gas prices have resulted in declining economic activity, a less productive and profitable industrial and agricultural base, and the loss of a substantial number of jobs; and

Whereas, the continued increase of natural gas prices will result in inflationary increases in the consumer prices for food, clothing, housing, medical care and other household necessities and in agricultural prices for fertilizers, pesticides, and herbicides; and

Whereas, the Iowa energy policy council is on record in favor of maintaining the present gradual decontrol policy as opposed to the president of the United States' proposed accelerated decontrol policy; *Now Therefore*,

Be It Resolved by the House of Representatives,

Page 2

the Senate Concurring, That this general assembly supports national legislation that would:

1. Eliminate unjust and onerous take-or-pay, indefinite price escalator and most favored nation clauses in pipeline company-producer contracts, and require market-out clauses.

2. Direct the federal energy regulatory commission to investigate the reasonableness and prudence of natural gas contracts and purchase gas adjustment clauses.

3. Prevent the federal energy regulatory commission from implementing "backdoor" decontrol actions by eliminating any commission authority to raise old gas prices.

4. Extend the phased-in decontrol of all new natural gas by two years as advised by the Iowa energy policy council.

Be It Further Resolved, That the Iowa general assembly opposes any legislation, with or without a windfall profits tax, to accelerate the decontrol of natural gas; and

Be It Further Resolved, That copies of this resolution be transmitted to the members of Iowa's congressional delegation and to the president of the United States, the speaker of the United States house of representatives, and to the president of the United States senate, with the request that they lay this resolution before their respective bodies; and

Be It Further Resolved, That the Iowa general assembly requests a written response from those persons

Page 3

who receive copies of this resolution which may be sent to the speaker of the Iowa house of representatives and the lieutenant governor.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 9:09 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 196, by committee on human resources, a bill for an act relating to health care by providing for the creation of a health

data commission, its purposes, membership, powers, duties, and other related areas, by permitting a hospital service corporation to contract with an ambulatory surgical facility for surgical services, by permitting contracts between hospitals and radiologists and pathologists, by amending the membership of the board of directors of nonprofit hospital service corporations, nonprofit medical service corporations, and nonprofit pharmaceutical or optometric service corporations, and by providing a penalty.

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

SENATE MESSAGES CONSIDERED

Senate File 155, by committee on judiciary, a bill for an act relating to offensive or dangerous weapons by defining as an offensive weapon certain bullets or projectiles and certain mechanical devices constructed and designed so that when attached to a firearm the device silences, muffles or suppresses the sound, by exempting under certain circumstances, a law enforcement officer from another state from the prohibition of section 724.4, by amending the length of time certain permits to carry weapons are valid, and by requiring the commissioner of public safety to maintain a permanent record of all valid permits to carry weapons and of current permit revocations, and providing penalties.

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

Senate File 158, by committee on local government, a bill for an act authorizing the board of supervisors to purchase blanket surety bonds for certain county officers and employees.

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

The House stood at ease at 4:02 p.m., until the fall of the gavel.

The House resumed session at 4:28 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the day, on request of Menke of O'Brien.

SENATE CONCURRENT RESOLUTION 8 DEFERRED

Connolly of Dubuque called up for consideration Senate Concurrent Resolution 8, providing for the board of regents to issue bonds for construction at the state university of Iowa hospital, received from the Senate on January 27, 1983 and found on pages 246 and 247 of the House Journal.

Schroeder of Pottawattamie asked and received unanimous consent to substitute amendment H–3055 filed to House Concurrent Resolution 8, with the following amendment H–3105 filed by him from the floor:

H–3105

Amend Senate Concurrent Resolution 8 as passed by the Senate as follows:

1. Page 1, by inserting before line 1 the words "DIVISION I".

2. Page 2, by inserting after line 12 the following:

DIVISION II

Whereas, section 262A.3 provides that the state board of regents shall prepare and submit to the general assembly for approval no later than seven days after the convening of each regular annual session of the general assembly a proposed ten-year building program for each institution of higher learning under the jurisdiction of the board, the program to contain a list of the buildings and facilities which the board deems necessary to further the educational objectives of the institutions, with an estimate of the cost of each of the buildings and facilities referred to and an estimate of the maximum amount of bonds which the board expects to issue under chapter 262A during each year of the ensuing biennium; and

Whereas, the state board of regents prepared and within seven days after the convening of the Seventieth General Assembly of the State of Iowa, First Session, submitted to the Seventieth General Assembly, First Session, for approval the proposed ten-year building program for each institution containing a list of the buildings and facilities which the board deems necessary to further the educational objectives of the institutions, together with an estimate of the cost of each of the buildings and facilities referred to therein and an estimate of the maximum amount of bonds which the board expects to issue under the

provisions of chapter 262A for each year of the fiscal biennium beginning July 1, 1983, and ending June 30, 1985; and

Whereas, the projects contained in the building program are deemed necessary for the proper performance of the instructional, research, and service functions of the institutions; and

Whereas, section 262A.4 provides that the state board of regents, after authorization by a constitutional majority of each house of the general assembly and approval by the governor, may undertake and carry out at the institutions of higher learning under the jurisdiction of the board any project as defined in chapter 262A; and

Whereas, chapter 262A authorizes the state board of regents to borrow money and to issue and sell negotiable revenue bonds to pay all or any part of

Page 2

the cost of carrying out the projects at any institution payable solely from and secured by an irrevocable pledge of a sufficient portion of the student fees and charges and institutional income received by the particular institution; and

Whereas, to further the educational objectives of the institutions, the state board of regents requests authorization to undertake and carry out certain of the projects at this time and to finance their cost by borrowing money and issuing negotiable bonds under chapter 262A in a total amount not to exceed ninety-seven million eight hundred thousand (97,800,000) dollars, the remaining cost of the projects to be financed by capital appropriations or by federal or other funds lawfully available;"

3. Page 2, by inserting after line 25 the following:

"*Be It Further Resolved*, That the proposed ten-year building program submitted by the state board of regents for each institution of higher learning under its jurisdiction, including the estimate of the maximum amount of bonds which the board expects to issue under chapter 262A is approved as follows:

State University of Iowa	$ 132,435,000
Iowa State University of Science and Technology	109,060,000
University of Northern Iowa	27,375,000
Total ten-year program 1983-1993	$ 268,870,000

Be It Further Resolved, That during the biennium which commences July 1, 1983, and which ends June 30, 1985, the maximum amount of bonds which the state

board of regents expects to issue under chapter 262A is ninety-seven million eight hundred thousand (97,800,000) dollars, of which fifty-five million (55,000,000) dollars may be issued during the fiscal year ending June 30, 1984 for the law building construction at the state university of Iowa and the agronomy addition construction at Iowa state university and forty-two million eight hundred thousand (42,800,000) dollars may be issued during the fiscal year ending June 30, 1985 for the projects listed in this resolution after the projects have been specifically authorized by the Seventieth General Assembly, Second Session, and approved by the governor, and this plan of financing is approved; and

Be It Further Resolved, That the state board of regents is authorized to undertake and carry out the following projects if approved by the Seventieth General Assembly, Second Session, and approved by the governor, and to pay all or any part of the cost

Page 3

of carrying out the projects by borrowing money and issuing negotiable revenue bonds under the provisions of chapter 262A in a total amount not to exceed forty-two million eight hundred thousand (42,800,000) dollars:

State University of Iowa
- Communications facility, University theatre addition, Field house/Athletic office building equipment
- Fire safety deficiencies
- Chilled water plant—phase V
- Coal-fired boiler
- Chemistry/Botany remodeling
- Planning university hygienic laboratory addition
- Miscellaneous utility system improvements
- Cost of issuance of bonds

Iowa State University of Science and Technology
- Fire safety deficiencies
- Mechanical engineering building equipment
- Coal-fired boiler
- Planning home economics changes
- Planning Gilman hall remodeling
- Planning old veterinary clinic conversion
- Cooling tower replacement
- Central chiller plant addition
- Miscellaneous utility system improvements
- Cost of issuance of bonds

University of Northern Iowa
- Fire safety deficiencies
- Gilchrist hall renovations

Steam distribution system improvements
Communication arts center—demolition, construction, equipment
Museum relocation remodeling
Miscellaneous utility system improvements
Cost of issuance of bonds"

Halvorson of Webster rose on a point of order that amendment H—3105 was not germane.

The Speaker ruled the point well taken and amendment H—3105 not germane.

On motion by Norland of Worth, Senate Concurrent Resolution 8 was deferred and retained its place on the calendar.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF REVENUE

The Annual Report for the fiscal year ending June 30, 1982, pursuant to Section 17.3, Code of Iowa.

OFFICE FOR PLANNING AND PROGRAMMING

A report entitled "The Impact of Objective Parole Criteria on Parole Release Rates and Public Protection", pursuant to Chapter 11.3(4), 1981 Acts of the Sixty-ninth General Assembly.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 145 Natural Resources

Relating to the fees charged for boat registration.

S.B. 146 Natural Resources

Providing for the creation, management, and administration of a protected water area system in this state.

S.B. 147 Natural Resources

Relating to the caliber of firearms and the type of ammunition permitted during the gun deer hunting season.

S.B. 148 Natural Resources

Permitting the conservation commission to alter or restrict the taking of wildlife.

S.B. 149 Natural Resources

Relating to a user fee for certain state lands under the jurisdiction of the state conservation commission.

S.B. 150 Natural Resources

Relating to the taking of fish for stocking and exchange.

S.B. 151 Natural Resources

To authorize the conservation commission to protect and manage all wild vertebrates.

S.B. 152 Judiciary and Law Enforcement

Relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

S.B. 153 State Government

Relating to the election laws by providing certain dates for special elections, the elimination of elections for township trustees and clerks, biennial school elections, the number of signatures required for filing nomination papers, the elimination of the notarization of absentee ballots, the mailing of certain absentee ballots to residents of health care facilities or hospitals, the elimination of blank party rows on election ballots, the use of the absentee balloting process to change or declare an elector's party affiliation, the reduction of sample ballots for publication, a method for challenging nomination petitions, reprecincting when a city changes its form of government to a form which has council members elected from wards, and certain technical corrections to the voting laws and providing effective dates.

S.B. 154 State Government

To provide for a comprehensive emergency management program for the state and its political subdivisions, providing for an office of emergency management and county emergency management commissions, authorizing a property tax levy for the county emergency management commissions, adopting an interstate emergency management compact, and making corresponding amendments to the Code.

S.B. 155 State Government

Proposing an amendment to the Constitution of the State of Iowa relating to eligibility to vote.

S.B. 156 State Government

Relating to the date of precinct caucuses of the political parties.

S.B. 157 Labor and Industrial Relations

Relating to unemployment compensation.

S.B. 158 Ways and Means

Increasing the rate of excise tax on gasohol, establishing an ethanol production incentive fund and providing penalties for false claims filed for production incentives.

S.B. 159 Ways and Means

Relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 81, a bill for an act to establish a Mexican foreign trade office to be operated by the Iowa development commission.

Fiscal Note is required.

Recommended **Do Pass** February 8, 1983.

COMMITTEE ON ENERGY

Committee Resolution (Formerly Study Bill 64), a concurrent resolution relating to opposition by the General Assembly to any legislation, with or without a windfall profits tax, to accelerate the decontrol of natural gas.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 19, a bill for an act relating to the reduction of sentences for inmates convicted of crime for which there is a mandatory minimum sentence.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3103** February 8, 1983.

House File 123, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire fighters, persons providing emergency medical services, and penal and correctional facility staff, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3101** February 8, 1983.

Committee Bill (Formerly Study Bill 67), providing immunity from liability resulting from assistance in an investigation of child abuse.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 1983.

Committee Bill (Formerly Study Bill 70), relating to the authority to carry weapons.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 1983.

Committee Bill (Formerly Study Bill 72), to divide judicial district five into three judicial election districts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 1983.

Committee Bill (Formerly Study Bill 117), relating to the release of defendants and conditions required for bail.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 1983.

COMMITTEE ON LOCAL GOVERNMENT

House File 4, a bill for an act relating to the definition of a parcel of land in relation to fees charged by county auditors for transfers made in the transfer books.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 1983.

House File 48, a bill for an act authorizing counties to contract with registered or certified public accountants to audit their financial records and transactions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3098,** February 8, 1983.

House File 118, a bill for an act relating to the minimum basic training requirements of marshals and police officers employed by certain cities.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 1983.

Committee Bill (Formerly Study Bill 4), relating to the enforcement of city ordinances requiring alternate side parking.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 1983.

AMENDMENTS FILED

H–3098	H.F. 48	Committee on Local Government
H–3099	H.F. 46	De Groot of Lyon
H–3100	H.F. 158	Welden of Hardin
H–3101	H.F. 123	Committee on Judiciary and Law Enforcement
H–3102	H.F. 118	Menke of O'Brien
H–3103	H.F. 19	Committee on Judiciary and Law Enforcement
H–3104	H.F. 131	Stromer of Hancock

On motion by Norland of Worth, the House adjourned at 4:53 p.m., until 9:00 a.m., Thursday, February 10, 1983.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day — Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 10, 1983

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

Prayer was offered by the Reverend John Kenneth Runyon, pastor of the First Baptist Church, Creston.

The Journal of Wednesday, February 9, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dennis Walston, Iowa Lutheran Hospital, Des Moines.

PETITIONS FILED

The following petitions were received and placed on file:

By McKean of Jones, from forty-four constituents opposing parimutuel betting in Iowa.

By Tabor of Jackson, Resolution 3924, adopted on January 24, 1983 by the Board of Supervisors of Jackson County, relating to favoring a nuclear arms freeze.

INTRODUCTION OF BILLS

House File 197, by Running, a bill for an act to limit the campaign spending of and the contributions to candidates for the general assembly.

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

House File 198, by Running, a bill for an act prohibiting the use of a headset or earplugs by operators of motor vehicles and providing a penalty.

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

House File 199, by Carl, a bill for an act to provide that a person who is required by a soil conservation district to institute soil and

water conservation practices or erosion control practices may be required to submit to the district three bids from contractors.

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

House File 200, by Carl, a bill for an act relating to the percentage of public cost-sharing funds necessary to require soil and water conservation practices.

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

House File 201, by Royer and Harbor, a bill for an act to delete a requirement that claims against a county be verified by the signature of the claimant.

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

House File 202, by Baxter, a bill for an act relating to the admissibility of photographs in prosecutions for robbery, burglary, theft, and fraudulent practices.

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

House File 203, by Krewson, Pellett and Cochran, a bill for an act to provide that students receive training in cardiopulmonary resuscitation prior to graduation from high school.

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

House File 204, by Carter, a bill for an act to allow a person to change party affiliation when requesting an absentee ballot after the close of registration for a primary election.

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

House File 205, by Spear, a bill for an act relating to the eligibility of property owners to protest changes in zoning districts.

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

House File 206, by Schnekloth, a bill for an act prohibiting the operation of motor vehicles with excessively dark windshields or windows and making penalties applicable.

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

House File 207, by Rosenberg, a bill for an act to appropriate funds to initiate a water resources data bank.

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

House File 208, by Rosenberg, a bill for an act relating to penalties imposed for the illegal dumping of certain solid wastes.

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

House File 209, by Rosenberg, a bill for an act relating to a report of the energy efficiency of a dwelling offered for sale.

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

House File 210, by Swartz, a bill for an act relating to the membership and powers of the corporate central credit union.

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

House File 211, by Stueland, Renken, Hermann, Sullivan, Davitt, Pellett, Branstad, Anderson, De Groot, Schnekloth, Diemer and Handorf, a bill for an act to authorize a reduced assessed valuation on agricultural land if the owner removes tree, shrub or hedge obstructions from adjacent drainage ditches.

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

House File 212, by Renken, a bill for an act transferring from the Iowa state commerce commission to the state fire marshal the authority to regulate pipeline safety.

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

House File 213, by committee on appropriations, a bill for an act to continue the unemployed parent program, the community work program for unemployed parents, and the child medical assistance program for the 1982-1983 fiscal year, effective upon publication.

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

House File 214, by committee on judiciary and law enforcement, a bill for an act providing immunity from liability resulting from assistance in an investigation of child abuse.

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

House File 215, by committee on local government, a bill for an act relating to the enforcement of city ordinances requiring alternate side parking.

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 February 8, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 136, a bill for an act to make nonsubstantive corrections to the Code.

Also: That the Senate has on February 8, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 172, a bill for an act to eliminate the requirement that vehicles used by licensed grain dealers carry a special identification plate.

Also: That the Senate has on February 8, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 177, a bill for an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs.

K. MARIE THAYER, Secretary

PUBLIC HEARING CANCELLED

Schnekloth of Scott asked and received unanimous consent to withdraw the request for a public hearing regarding sales tax scheduled for February 16, 1983.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 1

Carter of Henry offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 1

Whereas, The Honorable John B. Rockwell of Henry County, Iowa, who was a member of the Fifty-eighth and Fifty-ninth General Assemblies, passed away April 28, 1982; *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 Carter of Henry, Corey of Louisa and Sullivan of Van Buren.

SPECIAL PRESENTATION

Norland of Worth announced that a special guest had arrived in the House chamber. John Fons of Winterset, Iowa, presented a program in costume portraying Abraham Lincoln in honor of his birthday, using many of Lincoln's statements in his presentation. The House rose and expressed its appreciation to Mr. Fons who was the guest of Davitt of Warren.

PRESENTATION OF VISITOR

Lonergan of Boone presented to the House the Honorable Opal Miller Sergant, former member of the House representing Calhoun County.

On motion by Norland of Worth, the House was recessed at 9:38 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 11:54 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety members present, ten absent.

PASSED ON FILE
(Senate File 155)

The Speaker announced that Senate File 155, previously referred to the committee on judiciary and law enforcement, was withdrawn from committee and **passed on file.**

ADOPTION OF SENATE CONCURRENT RESOLUTION 8

The House resumed consideration of Senate Concurrent Resolution 8, providing for the board of regents to issue bonds for construction at the state university of Iowa hospital, found on pages 246 and 247 of the House Journal.

Schroeder of Pottawattamie rose on a point of order as to whether or not an amendment filed today would be in order.

The Speaker ruled that the amendment, not timely filed pursuant to House Rule 31.8, would not be in order.

Connors of Polk in the chair at 4:26 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Royer of Page, Harbor of Mills and Halvorson of Clayton, all for the remainder of the day, on request of Stromer of Hancock..

Connolly of Dubuque moved the adoption of the resolution.

Roll call was requested by Schroeder of Pottawattamie and Connolly of Dubuque.

On the question "Shall the resolution be adopted?" (SCR 8)

The ayes were, 73:

Arnould	Baxter	Bennett	Black
Brammer	Branstad	Buhr	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Hanson	Haverland
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Oxley	Parker

Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Gerpen	Van Maanen	Varn	Woods
Mr. Speaker (Connors)			

The nays were, 23:

Anderson	Blanshan	Carl	Grandia
Handorf	Hermann	Hummel	Koenigs
Maulsby	McKean	Osterberg	Paulin
Pellett	Renken	Rensink	Schnekloth
Schroeder	Skow	Stueland	Tofte
Van Camp	Welden	Zimmerman	

Absent or not voting, 4:

Avenson	Halvorson, R. A.	Harbor	Royer

The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 7 WITHDRAWN

Connolly of Dubuque asked and received unanimous consent to withdraw House Concurrent Resolution 7 from further consideration by the House.

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 3, your committee on rules and 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:

Position	Name	Grade and Step	Class of Appointment	Eff. Date
Administrative Assistant II	Mary Carr	15-1	S-O	1/28/83
Administrative Assistant II	Jean Goudy	15-1	S-O	1/28/83
Secretary II	Faun S. Black	15-1 + 1 + 1	S-O	1/28/83
Secretary II	Janis B. Kimple	15-1 + 1 + 1	S-O	1/28/83
Secretary II	Mark Lambert	15-1 + 1 + 1	S-O	1/28/83
Secretary II	Judy J. Wilson	15-1 + 2	S-O	1/28/83
Secretary II	Joy Yacavona	15-1 + 2	S-O	1/28/83

FEY of Scott, Chair

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 160 Human Resources

Relating to agreements entered into between doctors and hospitals.

S.B. 161 Judiciary and Law Enforcement

Permitting or requiring a corporation to indemnify a director, officer, employee, or agent of the corporation for judgments, penalties, fines, settlements, and reasonable expenses actually incurred as a defendant or respondent in an administrative or court proceeding.

S.B. 162 Judiciary and Law Enforcement

Relating to the revision of the juvenile victim restitution program and making an appropriation.

S.B. 163 State Government

To provide that the board of medical examiners include two persons approved as physician's assistants as defined in chapter 148C.

S.B. 164 State Government

Defining the role of an auctioneer in selling real property without needing a real estate license.

S.B. 165 Judiciary and Law Enforcement

Relating to the use of recidivism risk assessments in presentence investigations and providing an effective date.

S.B. 166 Judiciary and Law Enforcement

Prohibiting the use, possession, delivery, manufacture, and advertisement of drug-related objects with the intent that the objects will be used in connection with an illegal use of controlled substances, and providing for civil forfeiture and criminal penalties.

SUBCOMMITTEE ASSIGNMENTS

House File 49

State Government: Swartz, Chair; Carpenter, Pavich, Tofte and Woods.

House File 50

State Government: Swartz, Chair; Carpenter, Pavich, Tofte and Woods.

House File 51

State Government: Swartz, Chair; Carpenter, Pavich, Tofte and Woods.

House File 97

State Government: Swartz, Chair; Carpenter, Pavich, Tofte and Woods.

House File 113

Labor and Industrial Relations: Brammer, Chair; Branstad and Parker.

House File 116

State Government: Carl, Chair; Pavich and Tofte.

House File 122

State Government: Swartz, Chair; Carl, Gruhn, Krewson and Swearingen.

House File 125

Ways and Means: Chiodo, Chair; Carpenter and Copenhaver.

House File 137

Labor and Industrial Relations: Connors, Chair; Running and Schnekloth.

House File 139

Ways and Means: Swartz, Chair; Bennett, Daggett, Davitt and Pavich.

House File 142

Education: Varn, Chair; Buhr and Handorf.

House File 144

Labor and Industrial Relations: Gronstal, Chair; Hermann and Peick.

House File 146

Local Government: Black, Chair; Sherzan and Torrence.

House File 148

Ways and Means: Connolly, Chair; Anderson and Cochran.

House File 151

Judiciary and Law Enforcement: Tabor, Chair; Doderer and Maulsby.

House File 159

Transportation: Fogarty, Chair; Pellett and Renaud.

House File 164

Education: Daggett, Chair; Groth and Shoultz.

House File 166

Transportation: Osterberg, Chair; Fey and Van Camp.

House File 168

Transportation: Koenigs, Chair; Cooper and Corey.

House File 169

Local Government: Running, Chair; Hermann and Renaud.

House File 170

Judiciary and Law Enforcement: Chapman, Chair; Haverland and McIntee.

House File 171

Education: Branstad, Chair; Poncy and Zimmerman.

House File 173

Ways and Means: O'Kane, Chair; Diemer and Varn.

House File 174

Judiciary and Law Enforcement: Parker, Chair; Chapman and Paulin.

House File 176

State Government: Arnould, Chair; Chapman and Tofte.

House File 177

Education: Hughes, Chair; Krewson and Menke.

House File 178

Local Government: Sherzan, Chair; Renaud and Tofte.

House File 179

Ways and Means: Carpenter, Chair; Copenhaver and Holveck.

House File 181

Judiciary and Law Enforcement: Knapp, Chair; Hammond and Paulin.

House File 182

Ways and Means: Brammer, Chair; Clark and Fey.

House File 194

Ways and Means: Fey, Chair; Renken and Varn.

House File 201

Local Government: Hermann, Chair; Spear and Royer.

House File 205

Local Government: Running, Chair; Renaud and Menke.

House File 213

Finance: Jochum, Chair; Krewson and Arnould.

Senate File 4

Judiciary and Law Enforcement: Parker, Chair; Clark and Holveck.

Senate File 116

Local Government: Poncy, Chair; Sherzan and Tofte.

Senate File 132

Local Government: O'Kane, Chair; Royer and Oxley.

Senate File 145

Transportation: Cochran, Chair; Bennett and Davitt.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 102 (Revised)

Finance: Jochum, Chair; Arnould and Krewson.

Study Bill 104 (Reassigned)

Ways and Means: Gronstal, Chair; Carpenter, Connolly, Diemer, Koenigs, Pavich and Schnekloth.

Study Bill 123

Judiciary and Law Enforcement: Holveck, Chair; Corey and Parker.

Study Bill 124

Judiciary and Law Enforcement: Miller, Chair; Brammer and Paulin.

Study Bill 125

Ways and Means: Cochran, Chair; Clark, Lageschulte and Oxley.

Study Bill 127

Judiciary and Law Enforcement: Varn, Chair; McIntee and Paulin.

Study Bill 130

Local Government: Cooper, Chair; Grandia and Hermann.

Study Bill 131

Transportation: Van Camp, Chair; Fogarty and Osterberg.

Study Bill 132

Transportation: Corey, Chair; Cooper and Miller.

Study Bill 133

Transportation: Fey, Chair; Fogarty and Lageschulte.

Study Bill 134

Transportation: Miller, Chair; Pavich and Van Maanen.

Study Bill 135

Transportation: Davitt, Chair; Harbor and Lloyd-Jones.

Study Bill 137

Judiciary and Law Enforcement: Brammer, Chair; Corey and Miller.

Study Bill 138

Local Government: Connors, Chair; Lloyd-Jones and Swearingen.

Study Bill 139

Transportation: Woods, Chair; Cooper and Harbor.

Study Bill 140

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 141

Judiciary and Law Enforcement: Parker, Chair; Corey and Varn.

Study Bill 142

Judiciary and Law Enforcement: Tabor, Chair; Brammer and McIntee.

Study Bill 144

Agriculture: Cochran, Chair; Anderson, Blanshan, Gruhn and Pellett.

Study Bill 145

Natural Resources: McKean, Chair; Diemer and Tabor.

Study Bill 146

Natural Resources: O'Kane, Chair; Fogarty and Pellett.

Study Bill 147

Natural Resources: Woods, Chair; Pellett and Shoultz.

Study Bill 148

Natural Resources: Cooper, Chair; Haverland and Tofte.

Study Bill 149

Natural Resources: Baxter, Chair; Hanson and Woods.

Study Bill 150

Natural Resources: Diemer, Chair; Baxter and Haverland.

Study Bill 151

Natural Resources: Woods, Chair; Pellett and Shoultz.

Study Bill 152

Judiciary and Law Enforcement: Knapp, Chair; Haverland and McIntee.

Study Bill 155

State Government: Chapman, Chair; Carl and Hanson.

Study Bill 157

Labor and Industrial Relations: Sturgeon, Chair; Connors, Corey, Groth and Halvorson of Clayton.

Study Bill 158

Ways and Means: Swartz, Chair; Bennett, Daggett, Davitt and Pavich.

Study Bill 159

Ways and Means: Doderer, Chair; Carpenter, De Groot, Rosenberg and Tabor.

Study Bill 160

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 161

Judiciary and Law Enforcement: Holveck, Chair; Haverland and Paulin.

Study Bill 162

Judiciary and Law Enforcement: Miller, Chair; Clark and Tabor.

Study Bill 164

State Government: Swartz, Chair; Halvorson of Webster and Hoffmann-Bright.

Study Bill 165

Judiciary and Law Enforcement: McIntee, Chair; Knapp and Miller.

Study Bill 166

Judiciary and Law Enforcement: Parker, Chair; Clark and Hammond.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, to continue the unemployed parent program, the community work program for unemployed parents, and the child medical assistance program for the 1982-1983 fiscal year, effective upon publication.

Fiscal Note is required.

Recommended **Do Pass** February 9, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 14), relating to the real estate transfer tax.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 9, 1983.

Committee Bill (Formerly Study Bill 42), relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

Fiscal Note is required.

Recommended **Do Pass** February 9, 1983.

AMENDMENTS FILED

H–3106	H.F. 46	Schnekloth of Scott Anderson of Audubon
H–3108	H.F. 196	Spear of Lee
H–3109	H.F. 46	Van Maanen of Mahaska
H–3110	H.F. 196	Spear of Lee
H–3111	H.F. 196	Spear of Lee

H—3112	H.F. 196	Spear of Lee
H—3113	H.F. 81	De Groot of Lyon

On motion by Norland of Worth, the House adjourned at 5:14 p.m., until 10:00 a.m., Monday, February 14, 1983.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day—Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 14, 1983.

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

Prayer was offered by Father Anthony Aiello, pastor of Christ the King Catholic Church, Des Moines.

The Journal of Thursday, February 10, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Besendorfer, Iowa Lutheran Hospital, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gruhn of Dickinson on request of Cochran of Webster; Halvorson of Clayton on request of Stromer of Hancock.

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 9, 1983, passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 6, providing for an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 216, by committee on ways and means, a bill for an act to eliminate the use of documentary stamps as evidence that the real estate transfer tax has been paid.

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

House File 217, by committee on judiciary and law enforcement, a bill for an act relating to the authority to carry weapons by defining as an offensive weapon certain bullets or projectiles and certain mechanical devices constructed and designed so that when attached to a firearm the device silences, muffles or suppresses the sound, by exempting under certain circumstances, a law enforcement officer from another state from the prohibition of section 724.4, by amending the length of time certain permits to carry weapons are valid, and by requiring the commissioner of public safety to maintain a permanent record of all valid permits to carry weapons and of current permit revocations.

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

House File 218, by committee on ways and means, a bill for an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

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

House File 219, by committee on judiciary and law enforcement, a bill for an act to divide judicial district five into three judicial election districts.

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

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 6, by committee on state government, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

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

Senate File 177, by committee on agriculture, a bill for an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTIONS

McKean of Jones offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 2

Whereas, The Honorable George E. Petrick of Linn County, Iowa, who was a member of the Sixty-ninth General Assembly, passed away June 26, 1982; *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, Osterberg of Linn and Oxley of Linn.

Royer of Page offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 3

Whereas, The Honorable Leroy S. Miller of Page County, Iowa, who was a member of the Sixtieth, Sixty-first, Sixty-second and Sixty-third General Assemblies, passed away November 5, 1982; *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 Royer of Page, Harbor of Mills and Daggett of Taylor.

Mullins of Kossuth offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 4

Whereas, The Honorable Harold Knight of Humboldt County, Iowa, who was a member of the Sixty-second and Sixty-third General Assemblies, passed away July 19, 1982; *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 Mullins of Kossuth, Cochran of Webster and Groth of Buena Vista.

Daggett of Taylor offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 5

Whereas, The Honorable David Anderson Dancer of Decatur County, Iowa, who was a member of the Forty-sixth, Forty-sixth Extraordinary, Forty-seventh, Forty-eighth, and Forty-ninth General Assemblies, passed away October 11, 1982; *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 Daggett of Taylor, Cooper of Lucas and Hughes of Union.

Daggett of Taylor offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 6

Whereas, The Honorable Frederick Deforest Augustine of Ringgold County, Iowa, who was a member of the Forty-fourth and Forty-fifth General Assemblies, passed away July 25, 1982; *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 Daggett of Taylor, Cooper of Lucas and Hughes of Union.

CONSIDERATION OF BILLS
Regular Calendar

House File 184, a bill for an act relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds; the time when unclaimed deposits and refunds held by utilities are presumed abandoned, crediting the unclaimed deposits and refunds, and when abandoned property must be claimed from the treasurer of state; relating to funds available to area education agencies for special education support services; and relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 184)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Krewson	Schroeder

Absent or not voting, 2:

Gruhn	Halvorson, R. A.

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

Clark of Cerro Gordo in the chair at 10:34 a.m.

House File 158, a bill for an act requiring children under the age of five being transported in cars or pickups to be secured by child

restraint systems, seat belts, or harnesses and providing a penalty and effective date, was taken up for consideration.

Welden of Hardin offered the following amendment H–3100 filed by him:

H–3100

1 Amend House File 158 as follows:
2 1. Page 3, by striking lines 8 through 13.

The following amendment H–3114, to amendment H–3100, filed by Welden of Hardin from the floor, was adopted by unanimous consent:

H–3114

1 Amend amendment H–3100 to House File 158 as follows:
2 1. Page 1, by adding after line 2 the following:
3 "2. Page 1, by striking lines 19 through 21."

Welden of Hardin moved the adoption of amendment H–3100, as amended.

Roll call was requested by Lloyd-Jones of Johnson and Varn of Johnson.

On the question "Shall amendment H–3100, as amended, be adopted?"

The ayes were, 27:

Anderson	Bennett	Daggett	De Groot
Diemer	Grandia	Handorf	Hanson
Harbor	Hummel	Jay	Knapp
Lonergan	Maulsby	Menke	Pellett
Renken	Rensink	Rosenberg	Royer
Schnekloth	Spear	Stromer	Stueland
Swearingen	Van Maanen	Welden	

The nays were, 71:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Davitt

Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. N.	Hammond
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jochum	Koenigs	Krewson
Lageschulte	Lloyd-Jones	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Poncy	Renaud	Running	Schroeder
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Varn
Woods	Zimmerman	Madam Speaker (Clark)	

Absent or not voting, 2:

Gruhn Halvorson, R. A.

Amendment H—3100, as amended, lost.

Speaker Avenson in the chair at 11:35 a.m.

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. 158)

The ayes were, 81:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. N.	Hammond
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Rensink	Rosenberg	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Stueland	Sturgeon	Sullivan	Swartz

Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 17:

Daggett	Grandia	Handorf	Hanson
Harbor	Hummel	Lonergan	Maulsby
Menke	Pellett	Renken	Royer
Spear	Stromer	Tofte	Van Maanen
Welden			

Absent or not voting, 2:

Gruhn	Halvorson, R. A.

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

HOUSE FILE 196 DEFERRED

Norland of Worth asked and received unaminous consent that House File 196 be deferred and that the bill retain its place on the calendar.

HOUSE FILES WITHDRAWN

(House File 47)

Arnould of Scott asked and received unanimous consent to withdraw House File 47 from further consideration by the House.

(House File 70)

Poncy of Wapello asked and received unanimous consent to withdraw House File 70 from further consideration by the House.

(House File 5)

Clark of Cerro Gordo asked and received unanimous consent to withdraw House File 5 from further consideration by the House.

Regular Calendar

House File 46, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences, with report of committee recommending amendment and passage was taken up for consideration.

The following amendment H–3116 filed by Skow of Guthrie from the floor was adopted by unanimous consent:

H–3116

Amend House File 46 as follows:
1. Page 9, line 10, by striking the word "judgement" and inserting in lieu thereof the word "judgment".

HOUSE FILE 46 DEFERRED

Norland of Worth asked and received unanimous consent that House File 46 be deferred and that the bill retain its place on the calendar.

PRESENTATION OF VISITOR

Pellett of Cass presented to the House the Honorable Bill Darrington, former member of the House representing Harrison County.

HOUSE CONCURRENT RESOLUTION 10
By Anderson

Whereas, a sound money system is absolutely vital to a free people; and
Whereas, uncontrolled inflation and exorbitant interest rates have historically been not only disastrous to the people, but proof of an unsound money system and thus a real threat to established governments; and
Whereas, the present inflationary trend and unrealistically expensive interest rates are clear and present dangers to the people and to the governments of the State of Iowa and the United States of America; and
Whereas, the power to create loan money to the United States Government and fix interest rates at unrealistically high levels are major factors which contribute to the inflation and interest rate crisis; and
Whereas, Article I, Section 8 of the United States Constitution grants to Congress the power to coin or print money; and
Whereas, the Federal Reserve Act of 1913 delegates to a federally chartered banking system the power to create money and the said interest rates; and
Whereas, the United States Constitution does not grant the authority to delegate such power; and

Whereas, there has never been an independent audit of the Federal Reserve; *Now Therefore*,

Be It Resolved by the House of Representatives, The Senate Concurring, That it is hereby the declared intent of the State of Iowa to cause to be filed

Page 2

in the United States Supreme Court:

1. An action challenging the constitutionality of the delegation of power to create money to the Federal Reserve; and

2. An action to require an independent audit of the Federal Reserve.

Referred to committee on **small business and commerce.**

HOUSE CONCURRENT RESOLUTION 11

By Schroeder, Lloyd-Jones, Branstad, Doderer, Harbor, Woods, Pellett, Parker, Anderson, Carl and Pavich

Whereas, the trustee in bankruptcy of the Rock Island Railroad is currently negotiating with the Chicago Northwestern Railroad for the sale of certain right of way owned by the Rock Island Railroad; and

Whereas, the property to be sold includes the north-south line from Minneapolis-St. Paul to Kansas City and includes all of the right of way located within the city limits of the City of Des Moines; and

Whereas, it is in the public interest of the citizens of this state to retain access to use of part of the right of way to allow the operation of an east-west line in Iowa through the City of Des Moines; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the bankruptcy court is requested to require the parties to the sale of the railroad right of way, the Chicago Northwestern Railroad and the trustee in bankruptcy of the Rock Island Railroad to include in the contract, provision for use of the right of way for an east-west access for any railroad line at a reasonable fee approved by the railroad division of the state department of transportation.

Laid over under Rule 25.

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 14th day of February, 1983: House Joint Resolution 1.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

MOTION TO RECONSIDER
(House File 184)

I move to reconsider the vote by which House File 184 passed the House on February 14, 1983.

HARBOR of Mills

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 167 Human Resources

Requiring the department of social services to prepare and submit a biennial plan relating to the management of the community-based corrections programs and services.

S.B. 168 Human Resources

Relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs.

S.B. 169 Human Resources

Relating to the employment of inmates in public service.

S.B. 170 Human Resources

Relating to the regulation of radiation machines, radioactive materials and sources of nonionizing radiation and providing a civil penalty for violations.

S.B. 171 Local Government

Expanding the definition of residence district to include areas outside cities.

S.B. 172 Local Government

Relating to the budget year for secondary roads.

S.B. 173 Transportation

Relating to the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 53), relating to the donation of blood by persons seventeen years of age or older.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 110), relating to the membership of a county enterprise commission.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 1983.

Senate File 158, a bill for an act authorizing the board of supervisors to purchase blanket surety bonds for certain county officers and employees.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 1983.

AMENDMENTS FILED

H—3115	H.F. 46	Van Maanen of Mahaska

H—3117	H.F. 196	Arnould of Scott Zimmerman of Dallas Ollie of Clinton Mullins of Kossuth Running of Linn Clark of Cerro Gordo
H—3118	H.F. 157	Welden of Hardin

On motion by Norland of Worth, the House adjourned at 12:02 p.m., until 9:00 a.m., Tuesday, February 15, 1983.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day—Twenty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 15, 1983

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

Prayer was offered by Reverend Dennis Dorsheimer, pastor of the Jackson Church of Christ, Montezuma.

The Journal of Monday, February 14, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Loren Parker, Des Moines.

PETITIONS FILED

The following petitions were received and placed on file:

By Ollie of Clinton, from five hundred eighty-five constituents favoring House File 83, to repeal the requirement that Sunday liquor applicants qualify by having fifty percent or more of their sales in goods and services other than liquor.

By Peick of Linn, from forty-seven constituents of the 52nd District, favoring pari-mutuel betting.

INTRODUCTION OF BILLS

House Joint Resolution 8, by Cochran, a joint resolution proposing an amendment to the Constitution of the State of Iowa to increase the term of office for a member of the house of representatives to four years.

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

House File 220, by Pellett, a bill for an act to exempt vehicles subject to registration used primarily in interstate commerce from the use tax.

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

House File 221, by Cochran, a bill for an act relating to the correction of erroneous unemployment compensation benefit amounts.

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

House File 222, by De Groot, a bill for an act relating to noxious weeds.

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

House File 223, by Varn, a bill for an act relating to the source of names for jury lists.

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

House File 224, by Muhlbauer, Cochran, Skow, Cooper, Anderson, Oxley, Hammond and Fogarty, a bill for an act relating to the listing of dogs and collection of license fees by the assessor.

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

House File 225, by Welden, a bill for an act relating to tax moneys to be deposited in the marine fuel tax fund, and repealing the requirement for a periodic study and the formula for determining the amount to be so deposited.

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

House File 226, by Lonergan, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

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

House File 227, by Schnekloth and De Groot, a bill for an act authorizing an investment tax credit for the purposes of the state individual and corporate income tax and making the Act retroactive.

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

House File 228, by Hermann, a bill for an act relating to the taxation as real property of machinery for which the state sales, services, and use tax has been paid.

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

House File 229, by Baxter, Lonergan, Sullivan, Clark, Spear, Carter and Poncy, a bill for an act requiring an insurer to reduce premiums for automobile liability and property damage insurance for a two-year period for insureds age fifty-five or older who successfully complete an approved motor vehicle accident prevention course.

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

House File 230, by Rosenberg, a bill for an act making an appropriation to the juvenile victim restitution program within the criminal and juvenile justice planning agency.

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

House File 231, by committee on judiciary and law enforcement, a bill for an act relating to the release of defendants and conditions required for bail.

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

House File 232, by Groninga, a bill for an act relating to the mobile home reduced tax rate, property tax credit and rent reimbursement, and special assessment payments for elderly and disabled persons.

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

SENATE MESSAGES CONSIDERED

Senate File 136, by committee on judiciary, a bill for an act to make nonsubstantive corrections to the Code.

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

Senate File 172, by committee on agriculture, a bill for an act to eliminate the requirement that vehicles used by licensed grain dealers carry a special identification plate.

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

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 10, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 53, a bill for an act relating to time off for good behavior of inmates.

Also: That the Senate has on February 10, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 76, a bill for an act relating to the penalties for criminal mischief.

Also: That the Senate has on February 10, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 96, a bill for an act repealing Iowa's guest statute.

Also: That the Senate has on February 10, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 119, a bill for an act relating to the shared use of facilities by public agencies.

K. MARIE THAYER, Secretary

MOTION TO RECONSIDER WITHDRAWN
(House File 184)

Harbor of Mills asked and received unanimous consent to withdraw the motion to reconsider House File 184, a bill for an act relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds; the time when unclaimed deposits and refunds held by utilities are presumed abandoned, crediting the unclaimed deposits and refunds, and when abandoned property must be claimed from the treasurer of state; relating to funds available to area education agencies for special education support services; and relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs, filed by him on February 14, 1983.

On motion by Norland of Worth, the House was recessed at 9:17 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

The House stood at ease at 1:08 p.m., until the fall of the gavel.

The House resumed session at 1:40 p.m., Speaker Avenson in the chair.

CONSIDERATION OF BILL
Regular Calendar

House File 196, a bill for an act relating to health care by providing for the creation of a health data commission, its purposes, membership, powers, duties, and other related areas, by permitting a hospital service corporation to contract with an ambulatory surgical facility for surgical services, by permitting contracts between hospitals and radiologists and pathologists, by amending the membership of the board of directors of nonprofit hospital service corporations, nonprofit medical service corporations, and nonprofit pharmaceutical or optometric service corporations, and by providing a penalty, was taken up for consideration.

Lonergan of Boone in the chair at 1:43 p.m.

Spear of Lee offered the following amendment H–3108 filed by him and moved its adoption:

H–3108

Amend House File 196 as follows:
1. Page 2, line 7, by inserting after the words "six members" the words "including at least two voting members".

Amendment H–3108 was adopted.

Spear of Lee offered the following amendment H–3110 filed by him and moved its adoption:

H–3110

Amend House File 196 as follows:
1. Page 3, line 17, by striking the word "or" and inserting in lieu thereof the word "and".

Amendment H–3110 was adopted.

Zimmerman of Dallas offered the following amendment H—3117 filed by Arnould of Scott, et al.:

H—3117

Amend House File 196 as follows:

1. Page 3, line 26, by inserting after the word "discharge" the word "date".

2. Page 5, line 31, by striking the word "commissioner's" and inserting in lieu thereof the word "commission's".

3. Page 8, by striking lines 18 through 20 and inserting in lieu thereof the words " "subscriber" ~~shall include~~ means an individual who enters into a contract for hospital services, medical or surgical services, dental services, or pharmaceutical or optometric services with".

4. By striking page 8, line 28 through page 10, line 17 and inserting in lieu thereof the following:

"Sec. 11. Section 514.4, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

514.4 DIRECTORS. At least two-thirds of the directors of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or optometric service corporation subject to this chapter shall be at all times subscribers of that corporation and not more than one-third of the directors shall be providers as provided in this section. The board of directors of each corporation shall consist of at least nine members.

A subscriber director is a director of the board of a corporation who is a subscriber and who is not a provider of health care pursuant to section 514B.1, subsection 5, a person who has material financial or fiduciary interest in the delivery of health care services or a related industry, an employee of an institution which provides health care services, or a spouse or a member of the immediate family of such a person.

A provider director of a corporation subject to this chapter shall be at all times a person who has a contract with such corporation to render to its subscribers the services of such corporation.

The commissioner of insurance shall adopt rules pursuant to chapter 17A to implement the process by which the board of directors nominates and elects the subscriber directors of the board of directors of a corporation to ensure the representation of a

broad spectrum of subscriber interest on each board. The rules shall provide for a subscriber nominating committee consisting of subscribers as defined in this section.

A corporation serving states in addition to Iowa

Page 2

shall be required to implement this section only for directors who are residents of Iowa and elected as board members from Iowa."

5. Page 11, by striking lines 3 and 4 and inserting in lieu thereof the following: "date of this Act shall fill any vacancy or any expired term of a director position with a subscriber director and shall have at least a majority of subscribers on the board of directors of the corporation by August 1, 1984 and at least two-thirds of the board shall be subscribers by August 1, 1985."

Mullins of Kossuth offered the following amendment H—3119, to amendment H—3117, filed from the floor by Mullins, Clark, Hummel, Hoffmann-Bright, McIntee, Swearingen, Schroeder and Halvorson of Clayton:

H—3119

Amend amendment H—3117 to House File 196 as follows:

1. Page 1, line 36, by inserting after the word "person." the words "However, a publicly elected hospital trustee may serve as a subscriber director providing the trustee has no material financial interest in the delivery of health care services or a related industry."

Speaker Avenson in the chair at 2:20 p.m.

Mullins of Kossuth moved the adoption of amendment H—3119, to amendment H—3117.

Roll call was requested by Mullins of Kossuth and Tofte of Winneshiek.

On the question "Shall amendment H—3119 be adopted?"

The ayes were, 35:

Anderson	Bennett	Clark	Corey

Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 58:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Oxley	Parker
Pavich	Peick	Pellett	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 7:

Baxter	Branstad	Carpenter	Doderer
Krewson	Osterberg	Sullivan	

Amendment H—3119 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Osterberg of Linn, for the remainder of the day, and Sullivan of Van Buren, for a portion of the day, on request of Rosenberg of Story.

Schroeder of Pottawattamie offered the following amendment H—3122, to amendment H—3117, filed from the floor by Schroeder, Daggett and Van Maanen and moved its adoption:

H—3122

Amend amendment H—3117 to House File 196 as follows:
1. Page 1, line 32, by striking the words "or fiduciary".

Roll call was requested by Schroeder of Pottawattamie and Bennett of Ida.

On the question "Shall amendment H–3122, to amendment H–3117, be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Lageschulte	Maulsby	McIntee	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McKean
Miller	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 3:

Doderer	Osterberg	Sullivan

Amendment H–3122 lost.

The following amendment H–3120, to amendment H–3117, filed by Arnould of Scott from the floor, was adopted by unanimous consent:

H—3120

1 Amend amendment H—3117 to House File 196 as follows:
2 1. Page 1, line 14, by striking the numeral "17"
3 and inserting in lieu thereof the numeral "16".

On motion by Zimmerman of Dallas, amendment H—3117, as amended, was adopted, placing out of order amendment H—3112 filed by Spear of Lee on February 10, 1983.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3111 filed by him on February 10, 1983.

Daggett of Taylor asked for unanimous consent to suspend the rules to consider amendment H—3121.

Objection was raised.

Daggett of Taylor moved that Rule 31.8 be suspended to consider amendment H—3121 filed by him and Van Maanen of Mahaska from the floor as follows:

H—3121

1 Amend House File 196 as follows:
2 1. Page 6, by striking lines 30 through 35.
3 2. Page 7, by striking lines 1 through 8.

Chiodo 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.

Stromer of Hancock moved that the rules be suspended to consider amendment H—3121.

Roll call was requested by Daggett of Taylor and Van Maanen of Mahaska.

On the question "Shall the rules be suspended to consider amendment H—3121?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot

Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Sturgeon	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 2:

Osterberg	Sullivan

The motion lost.

Arnould 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. 196)

The ayes were, 99:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth

Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

COMMUNICATION FROM THE SECRETARY OF STATE

February 14, 1983

Mr. Joseph O'Hern
Chief Clerk of the House
State Capitol Building
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 184 was published in the Globe-Gazette, Mason City, Iowa on February 10, 1983 and in the Iowa City Press-Citizen, Iowa City, Iowa on February 10, 1983.

Respectfully submitted,
HARRY DAVIS
Deputy Secretary of State

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

DEPARTMENT OF VETERAN AFFAIRS

An Annual Report of the activities of the Department for the fiscal year ending June 30, 1982, pursuant to Chapter 35A.6(7), Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 174 Small Business and Commerce

Relating to rate or price differentials for health care services charged by a hospital or health care facility.

S.B. 175 Education

To authorize the board of directors of a school district to issue warrants in anticipation of revenue from the schoolhouse tax authorized by the voters.

S.B. 176 Local Government

Increasing the penalties for removal or defacing of traffic control devices.

S.B. 177 Local Government

Establishing a community development loan program and making an appropriation.

S.B. 178 Local Government

To require fiscal notes on bills, joint resolutions, and administrative rules.

S.B. 179 Local Government

Relating to the acquisition of legal settlement on the basis of a time period for which a person receives county general relief or certain other governmental assistance or governmental residential support or services.

S.B. 180 Local Government

Relating to county finance.

S.B. 181 State Government

Relating to certified public accountants, accounting practitioners, and the board of accountancy.

S.B. 182 Ways and Means

Relating to an exemption from the state sales, services, and use taxes for sales by trade shops to printers of lithographic-offset plates, photoengraved plates, engravings, negatives, color separations, typesetting, the end products of image modulation or any base materials used as carriers for light-sensitive emulsions, limiting the amount of refunds allowable under this Act, and making it retroactive.

S.B. 183 Ways and Means

Relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property.

S.B. 184 Energy

Relating to membership on the interagency coordinating council on radiation safety.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 213, a bill for an act to continue the unemployed parent program, the community work program for unemployed parents, and the child medical assistance

program for the 1982-1983 fiscal year, effective upon publication.

Fiscal Note is required.

Recommended **Do Pass** February 14, 1983.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly Study Bill 150), relating to the taking of fish for stocking and exchange.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 104), relating to the cigarette and tobacco tax by making the temporary tax increase permanent, providing for penalty and interest for delinquent payment of tax, failure to remit tax, failure to file return, and filing of a false return, and the time period in which a hearing on a protest to assessment of tax is to be held, and repealing the Iowa unfair cigarette sales Act.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 14, 1983.

AMENDMENTS FILED

H—3123	H.F. 46	Pellett of Cass
H—3124	H.F. 46	Bennett of Ida
H—3125	H.F. 46	Renken of Grundy Schnekloth of Scott
H—3126	H.F. 46	De Groot of Lyon

On motion by Norland of Worth, the House adjourned at 3:00 p.m., until 9:00 a.m., Wednesday, February 16, 1983.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day—Twenty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 16, 1983

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

Prayer was offered by Bishop Walter Righter, Bishop of the Diocese of Iowa Episcopal Church, Des Moines.

The Journal of Tuesday, February 15, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dale Christiansen, Lake City.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth on request of Stromer of Hancock.

INTRODUCTION OF BILLS

House File 233, by Halvorson of Clayton, a bill for an act relating to the collection and distribution of certain delinquent property taxes of railway companies.

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

House File 234, by Stueland and Parker, a bill for an act providing a tax exemption for a privately-owned airport open for public use, and providing an effective date.

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

House File 235, by Spear, a bill for an act making changes in the statutes relating to marriage.

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

House File 236, by Varn, a bill for an act providing an annual inspection fee for mobile home parks.

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

House File 237, by Varn, a bill for an act relating to the inclusion of herpes simplex II as a reportable disease within the rules adopted by the state department of health.

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

House File 238, by Varn, a bill for an act relating to the amount of horsepower permitted on motorboats on Lake MacBride.

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

House File 239, by Diemer, Haverland, Ollie, Van Gerpen, Blanshan, Skow, Black, Renaud, Paulin, Royer, Pellett, McIntee, Hermann, Grandia, Torrence and Van Camp, a bill for an act prohibiting the use, possession, delivery, manufacture, and advertisement of drug-related objects with the intent that the objects will be used in connection with an illegal use of controlled substances, and providing for civil forfeiture and criminal penalties.

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

House File 240, by Connolly, a bill for an act authorizing volunteer members of a volunteer ambulance or rescue service agency to use blue flashing lights on their privately-owned motor vehicles.

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

SENATE MESSAGES CONSIDERED

Senate File 53, by Doyle, a bill for an act relating to time off for good behavior of inmates.

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

Senate File 76, by Doyle, a bill for an act relating to the penalties for criminal mischief.

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

Senate File 96, by Ritsema, a bill for an act repealing Iowa's guest statute.

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

Senate File 119, by Wells, a bill for an act relating to the shared use of facilities by public agencies.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION 7

Hanson of Delaware offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 7

Whereas, The Honorable Glenn Eugene Robinson of Delaware County, Iowa, who was a member of the Fiftieth, Fiftieth Extraordinary, Fifty-first, Fifty-second, Fifty-second Extraordinary, Fifty-third, Fifty-fourth and Fifty-fifth General Assemblies, passed away December 5, 1982; *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 Hanson of Delaware, McKean of Jones and Copenhaver of Buchanan.

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, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 132, a bill for an act relating to the costs of certain services provided by an area education agency and requested by a local board of education.

Also: That the Senate has on February 14, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 133, a bill for an act relating to the consolidation of certain special education categories.

Also: That the Senate has on February 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 195, a bill for an act to enact the midwest interstate low-level radioactive waste compact.

Also: That the Senate has on February 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 207, a bill for an act relating to the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state.

Also: That the Senate has on February 14, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 11, approving and confirming the citizens' aide.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 11
By Committee on Rules and Administration

Whereas, chapter 601G provides that the citizens' aide shall be appointed by the legislative council with the approval and confirmation of a constitutional majority of the senate and with the approval and constitutional majority of the house of representatives; and

Whereas, on May 26, 1982 the legislative council reappointed Mr. William P. Angrick II as citizens' aide for a term commencing July 1, 1982 and is submitting his name for approval and confirmation of a constitutional majority of the senate and house; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That Mr. William P. Angrick II is approved and confirmed as citizens' aide for a four-year term which commenced July 1, 1982 as provided in sections 601G.3 and 601G.5.

Laid over under Rule 25.

HOUSE RULE 35 SUSPENDED

Stromer of Hancock moved that Rule 35, requiring a daily debate calendar, be suspended.

A non-record roll call was requested.

The ayes were 38, nays 49.

The motion lost.

Norland of Worth asked and received unanimous consent to suspend Rule 35 for the Wednesday, February 16, 1983 daily debate calendar.

REFERRED TO COMMITTEE ON TRANSPORTATION
(House Concurrent Resolution 11)

The Speaker announced that House Concurrent Resolution 11, previously passed on file, was referred to the committee on **transportation.**

On motion by Norland of Worth, the House was recessed at 9:20 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

PRESENTATION OF VISITOR

Fogarty of Palo Alto presented to the House the Honorable John P. (Jack) Kibbie, former member of the House representing Palo Alto County.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 15, 1983, he approved and transmitted to the Secretary of State the following bill:

House Joint Resolution 1, a joint resolution relating to the bequest and devise of Lowell E. Walter of the Cedar Rock property to the state of Iowa effective upon publication.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

COMMISSION ON PROFESSIONAL AND OCCUPATIONAL REGULATION

The 1982 Annual Report of evaluations and recommendations, pursuant to Chapter 2B.3 (1), Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 185 Judiciary and Law Enforçement

Related to confiscation of currency in penal or correctional institutions and providing a penalty.

S.B. 186 Agriculture

To establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

S.B. 187 Agriculture

To provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license.

S.B. 188 Human Resources

Authorizing specified professionals to dispense and issue prescription drugs and controlled substances and to delegate nonjudgmental dispensing functions and providing a penalty.

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 16, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 220, a bill for an act to continue the unemployed parent program, the community work program for unemployed parents, and the child medical assistance program for the 1982-1983 fiscal year, effective upon publication.

K. MARIE THAYER, Secretary

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES (CORRECTED)

House File 53, a bill for an act relating to the donation of blood by persons seventeen years of age or older.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly House File 174), relating to the time by which a court shall set out the amount of restitution in a criminal case.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 1983.

Committee Bill (Formerly House File 181), to legalize proceedings taken by the board of supervisors of Pottawattamie county relating to the sale of certain properties.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 1983.

Committee Bill (Formerly Study Bill 116), to increase the jurisdictional amount of small claims court to two thousand dollars.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 15, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 112), repealing the requirement to file a certificate of the county treasurer of payment of personal property taxes due on the estate of a decedent.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 1983.

Committee Bill (Formerly Study Bill 113), relating to the cancellation of outstanding warrants.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 1983.

COMMITTEE ON STATE GOVERNMENT

House Joint Resolution 2, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for representation of the District of Columbia in congress.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 1983.

Committee Bill (Formerly Study Bill 164), defining the role of an auctioneer in selling real property without needing a real estate license.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 1983.

AMENDMENTS FILED

H–3127	H.F. 46	Anderson of Audubon
H–3128	H.F. 120	Groth of Buena Vista
H–3129	H.F. 48	Diemer of Black Hawk
H–3130	H.F. 48	Diemer of Black Hawk
H–3131	H.C.R. 11	Lloyd-Jones of Johnson
Schroeder of Pottawattamie		Branstad of Winnebago
Doderer of Johnson		Harbor of Mills
Woods of Polk		Pellett of Cass
Parker of Jasper		Anderson of Audubon
Carl of Poweshiek		Pavich of Pottawattamie

On motion by Norland of Worth, the House adjourned at 12:13 p.m., until 9:00 a.m., Thursday, February 17, 1983.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day—Twenty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 17, 1983

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

Prayer was offered by Father Mervin Hood, pastor of St. Mary's Catholic Church, Humboldt.

The Journal of Wednesday, February 16, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ron McHose, Iowa Lutheran Hospital, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton.

PETITION FILED

The following petition was received and placed on file:

By O'Kane of Woodbury, from thirty-eight constituents opposing any measure which would legalize any form of gambling in the State of Iowa.

INTRODUCTION OF BILL

House File 241, by committee on ways and means, a bill for an act relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive.

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

SENATE MESSAGES CONSIDERED

Senate File 195, by committee on energy, a bill for an act to enact the midwest interstate low-level radioactive waste compact.

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

Senate File 207, by committee on transportation, a bill for an act relating to the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state.

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

Senate File 220, by committee on appropriations, a bill for an act to continue the unemployed parent program, the community work program for unemployed parents, and the child medical assistance program for the 1982-1983 fiscal year, effective upon publication.

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 February 15, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 159, a bill for an act authorizing the establishment and maintenance of an emergency warning system within townships.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:21 a.m., until 11:30 a.m.

The House reconvened, Speaker Avenson in the chair.

The House stood at ease at 11:31 a.m., until the fall of the gavel.

The House resumed session at 11:56 a.m., Connors of Polk in the chair.

Speaker Avenson in the chair at 12:03 p.m.

On motion by Norland of Worth, the House was recessed at 12:07 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

CONSIDERATION OF BILLS
Regular Calendar

The House resumed consideration of **House File 46,** a bill for an act relating to the rights and responsibilities of landowners concerning partition fences, deferred and retained on February 14, 1983.

Skow of Guthrie asked and received unanimous consent to withdraw amendment H–3048 filed by the committee on agriculture on February 2, 1983.

Doderer of Johnson in the chair at 3:11 p.m.

Van Maanen of Mahaska offered amendment H–3054 filed by him and requested division as follows:

H–3054

Amend House File 46 as follows:

H–3054A

1. Page 1, line 21, by striking the word "Wire" and inserting in lieu thereof the words "Barbed wire".

H–3054B

2. Page 1, by inserting after line 27 the following:

"e. Five smooth wires of at least twelve thousand pounds breaking strength and not less than twelve and one-half gauge, the top wire to be between forty-eight and fifty-four inches high and the bottom wire to be between sixteen and twenty inches high with the middle wires spaced at equal intervals between."

H—3054C

3. Page 2, by inserting after line 6 the following:
"c. Eight smooth wires of at least twelve thousand pounds breaking strength and not less than twelve and one-half gauge, the top wire to be between fifty-two and fifty-eight inches high and the bottom wire to be between four and eight inches high with the middle wires spaced at equal intervals between."
4. By relettering as required by this amendment.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H—3054A.

Van Maanen of Mahaska moved the adoption of amendment H—3054B.

Amendment H—3054B was adopted.

Van Maanen of Mahaska offered the following amendment H—3109, to amendment H—3054C, filed by him and moved its adoption:

H—3109

Amend amendment H—3054 to House File 46 as follows:
1. Page 1, line 13, by striking the word "Eight" and inserting in lieu thereof the word "Ten".

Amendment H—3109 was adopted.

Van Maanen of Mahaska offered the following amendment H—3115, to amendment H—3054C, filed by him and moved its adoption:

H—3115

Amend House amendment H—3054 to House File 46 as follows:
1. Page 1, line 15, by inserting after the word "between" the words "forty-eight and".
2. Page 1, line 16, by striking the words "and fifty-eight".
3. Page 1, line 17, by striking the words "between four and eight" and inserting in lieu thereof the word "four".
4. Page 1, line 18, by striking the word "equal".

A non-record roll call was requested.

The ayes were 30, nays 59.

Amendment H—3115 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jay of Appanoose on request of Rosenberg of Story; Zimmerman of Dallas on request of Carl of Poweshiek; Hermann of Scott on request of Carpenter of Polk, all for the remainder of the day.

Speaker Avenson in the chair at 3:40 p.m.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H—3054C, as amended.

Pellett of Cass offered the following amendment H—3123 filed by him and moved its adoption:

H—3123

Amend House File 46 as follows:

1. Page 3, by inserting after line 28 the following:

" . If after three years from the effective date of this Act an agreement has not been recorded establishing the respective landowners' responsibilities for a partition fence, and if the assigned responsibility under subsection 5 requires that a landowner abandon a portion of the partition fence that the landowner had maintained, then prior to abandoning that portion of the fence, it will be repaired or replaced as necessary to be of comparable quality to that portion of the fence previously maintained by the adjoining landowner."

Amendment H—3123 was adopted.

Bennett of Ida asked and received unanimous consent to withdraw amendment H—3124 filed by him on February 15, 1983.

Spear of Lee offered the following amendment H—3084 filed by him and moved its adoption:

H—3084

Amend House File 46 as follows:
1. Page 3, line 35, by striking the words "placement or" and inserting in lieu thereof the words "placement and".

Amendment H—3084 was adopted.

Spear of Lee offered amendment H—3078 filed by him and requested division as follows:

H—3078

Amend House File 46 as follows:

H—3078A

1. Page 6, line 1, by striking the words "or pay for".

H—3078B

2. Page 6, line 3, by striking the words "or paid for".

On motion by Spear of Lee, amendment H—3078A was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3078B.

Spear of Lee offered the following amendment H—3092 filed by him and moved its adoption:

H—3092

Amend House File 46 as follows:
1. Page 6, line 3, by inserting after the words "completed or" the words "an existing fence".

Amendment H—3092 was adopted.

Anderson of Audubon offered the following amendment H—3127 filed by him and moved its adoption:

H—3127

Amend House File 46 as follows:
1. Page 6, by inserting after line 7 the following:

"c. Contain an itemized cost estimate of the work required."

2. By relettering subsections as necessary.

Amendment H—3127 lost.

Schnekloth of Scott offered the following amendment H—3106 filed by him and Anderson of Audubon and moved its adoption:

H—3106

Amend House File 46 as follows:

1. Page 6, by inserting after line 10 the following:

"7. If a charge is assessed for the services of the fence viewer it shall be paid equally by the affected parties."

A non-record roll call was requested.

The ayes were 40, nays 49.

Amendment H—3106 lost.

Schroeder of Pottawattamie offered the following amendment H—3088 filed by him and moved its adoption:

H—3088

Amend House File 46 as follows:

1. Page 7, by striking line 25, and inserting in lieu thereof the following: "file with the county recorder a record of orders issued by the fence viewers."

2. Page 7, line 28, by striking the words "township clerk" and inserting in lieu thereof the words "county recorder".

3. By striking page 7, line 35 through page 8, line 3.

Amendment H—3088 was adopted.

McKean of Jones in the chair at 4:00 p.m.

Schnekloth of Scott offered the following amendment H—3095 filed by him and Anderson of Audubon:

H–3095

Amend House File 46 as follows:
1. Page 8, by inserting after line 6 the following:
"4. If the services of an attorney are required to prepare a legal description of the land for a partition fence agreement, the fee requested by the attorney for preparation of the legal description of the land shall not exceed fifty cents per rod of fence included in the agreement."
2. By renumbering according to this amendment.

Speaker Avenson in the chair at 4:13 p.m.

Schnekloth of Scott moved the adoption of amendment H–3095.

Amendment H–3095 lost.

Renken of Grundy offered the following amendment H–3125 filed by him and Schnekloth of Scott and moved its adoption:

H–3125

Amend House File 46 as follows:
1. Page 8, by inserting after line 6 the following:
"4. If the services of a surveyor are required to legally establish a fence line for a partition fence agreement, the cost shall not be more than one dollar per rod of fence included in the agreement. The cost shall be divided equally between the affected parties."
2. By renumbering according to this amendment.

A non-record roll call was requested.

The ayes were 35, nays 57.

Amendment H–3125 lost.

De Groot of Lyon offered the following amendment H–3099 filed by him:

H–3099

Amend House File 46 as follows:
1. Page 9, by striking lines 14 and 15 and inserting in lieu thereof the following:

"Sec. 17. NEW SECTION. PUBLICATION. The secretary of state shall publish a notice in a newspaper of general circulation in each county stating in substance".

De Groot of Lyon offered the following amendment H—3126, to amendment H—3099, filed by him and moved its adoption:

H—3126

Amend House amendment H—3099 to House File 46 as follows:

1. Page 1, line 5, by inserting after the word "notice" the words "prepared by the legislative service bureau".

Amendment H—3126 was adopted.

De Groot of Lyon moved the adoption of amendment H—3099, as amended.

Roll call was requested by De Groot of Lyon and Stromer of Hancock.

Rule 76 was invoked.

On the question "Shall amendment H—3099, as amended, be adopted?"

The ayes were, 42:

Anderson	Bennett	Black	Blanshan
Branstad	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Hammond	Handorf	Hanson
Hoffmann-Bright	Hummel	Knapp	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 52:

Arnould	Baxter	Brammer	Buhr
Carl	Carter	Chapman	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Haverland	Holveck

Jochum	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Mr. Speaker

Absent or not voting, 6:

Harbor	Hermann	Hughes	Jay
Woods	Zimmerman		

Amendment H—3099, as amended, lost.

PRESENTATION OF VISITOR

Norland of Worth presented to the House the Honorable Jerry Fitzgerald, former member of the House representing Webster County.

Davitt of Warren asked and received unanimous consent to withdraw the motion to reconsider filed by him from the floor to reconsider the vote by which amendment H—3123 was adopted by the House on February 17, 1983.

Groth of Buena Vista in the chair at 4:37 p.m.

Speaker Avenson in the chair at 5:03 p.m.

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

On the question "Shall the bill pass?" (H.F. 46)

The ayes were, 57:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud

Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Mr. Speaker			

The nays were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Hoffmann-Bright	Hummel	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 5:

Harbor	Hermann	Hughes	Jay
Zimmerman			

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

MOTION TO RECONSIDER PREVAILED
(House File 120)

Stromer of Hancock called up for consideration the motion to reconsider House File 120 filed by him on February 8, 1983 and moved to reconsider the vote by which House File 120, a bill for an act relating to meeting school year requirements, passed the House and was placed on its last reading on February 8, 1983.

A non-record roll call was requested.

The ayes were 92, nays none.

The motion prevailed and the House reconsidered House File 120, placing in order amendment H—3094, not timely filed on February 8, 1983 and ruled out of order pursuant to Rule 31.8, by Schroeder of Pottawattamie and Doderer of Johnson as follows:

H—3094

1 Amend House File 120 as follows:

1. Page 1, by inserting the following after line 8.

"2. The board of directors shall hold a public hearing on any proposal prior to submitting it to the department of public instruction for approval."

2. By renumbering as necessary.

Schroeder of Pottawattamie moved the adoption of amendment H—3094.

A non-record roll call was requested.

The ayes were 40, nays 50.

Amendment H—3094 lost.

Groth of Buena Vista offered the following amendment H—3128 filed by him and moved its adoption:

H—3128

Amend House File 120 as follows:

1. Page 1, by inserting after line 30 the following:

"Sec. . However, notwithstanding section 279.10, subsection 2, for the school year commencing July 1, 1983, the board of directors of a school district may request approval from the department of public instruction not later than June 1, 1983 for a pilot program in the manner provided in section 279.10, subsection 2. The department shall notify the districts of the approval or denial of the pilot programs not later than July 1, 1983.

Sec. . This Act, being deemed of immediate importance, takes effect from and after its publication in The Fonda Times, a newspaper published in Fonda, Iowa, and in the Buena Vista County Journal, a newspaper published in Newell, Iowa."

Amendment H—3128 was adopted.

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

On the question "Shall the bill pass?" (H.F. 120)

The ayes were, 88:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hoffmann-Bright
Holveck	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Gerpen
Varn	Welden	Woods	Mr. Speaker

The nays were, 6:

Hummel	Maulsby	Renken	Schnekloth
Schroeder	Van Maanen		

Absent or not voting, 6:

Harbor	Hermann	Hughes	Jay
Tofte	Zimmerman		

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 242, by committee on local government, a bill for an act relating to the cancellation of outstanding warrants.

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

House File 243, by committee on local government, a bill for an act repealing the requirement to file a certificate of the county treasurer of payment of personal property taxes due on the estate of a decedent.

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

House File 244, by committee on judiciary and law enforcement, a bill for an act to legalize proceedings taken by the board of supervisors of Pottawattamie county relating to the sale of certain properties.

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

House File 245, by committee on judiciary and law enforcement, a bill for an act relating to the time by which a court shall set out the amount of restitution in a criminal case.

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

SENATE MESSAGE CONSIDERED

Senate File 159, by Mann, a bill for an act authorizing the establishment and maintenance of an emergency warning system within townships.

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

HOUSE RESOLUTION 5

By Blanshan, Cochran, Zimmerman, Fogarty, Hughes, Cooper, Spear, Carter, Parker, Gruhn, Groth, Van Camp, Grandia, Sullivan, Sturgeon, Lonergan, Haverland, Connors, Jay, Chapman, Shoultz, Sherzan, Poncy, Lloyd-Jones, Royer, Knapp, Skow, Miller, O'Kane, Norland, Halvorson of Webster and Davitt

Whereas, the state of Iowa is losing topsoil at an alarming rate of one inch every fifteen years; and

Whereas, for every bushel of corn produced in Iowa, two bushels of soil are lost; and

Whereas, it is cautioned that with no attention given to conservation, Iowa's top soil will be completely eroded within one hundred years; and

Whereas, the Reagan administration has proposed a six point ninety-four million dollar reduction in soil and water conservation spending; and

Whereas, the amount proposed is six percent less than the minimum amount the United States soil conservation service has said is needed to prevent further deterioration of soil and water; and

Whereas, money will not be made available for

matching grants to help farmers install conservation measures; *Now Therefore,*

Be It Resolved by the House of Representatives, That the Reagan administration reevaluate these drastic proposals and place as top priority soil and water conservation; and

Be It Further Resolved, That a copy of this resolution be sent to the President of the United States and members of Iowa's congressional delegation.

Laid over under Rule 25.

SPONSORS ADDED
(House File 233)

The following members requested to be added as sponsors of House File 233:

Skow of Guthrie
Paulin of Plymouth
Hammond of Story
Van Maanen of Mahaska
Black of Jasper
Krewson of Polk
Blanshan of Greene
Muhlbauer of Crawford
De Groot of Lyon
Handorf of Marshall
Torrence of Muscatine
Diemer of Black Hawk
Welden of Hardin
Cooper of Lucas
Groninga of Cerro Gordo
Lageschulte of Bremer
Clark of Cerro Gordo
Swearingen of Keokuk
Menke of O'Brien
Sullivan of Van Buren
Rosenberg of Story
McKean of Jones
Stueland of Clinton
Van Gerpen of Black Hawk
Koenigs of Mitchell
Grandia of Marion
Hoffmann-Bright of Muscatine
Schnekloth of Scott
Tofte of Winneshiek
Haverland of Polk
McIntee of Black Hawk
Rensink of Sioux
Corey of Louisa

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on February 16, 1983 and is on file in the office of the Chief Clerk.

Mr. Joseph O'Hern, Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Mr. O'Hern:

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

These include 3 claims of a general nature. This supplements our filing of December 28, 1982.

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

Very truly yours,
RICHARD D. JOHNSON
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN, Chief Clerk

OFFICE STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
472-70-25	Patrick Lee Beazley Cherokee, Iowa License Plate Refund	$ 30.00	Disapproved
530-70-25	Sieda Integrated Transit Service Ottumwa, Iowa Title XIX claim	687.60	Disapproved
689-70-25	Len Kenneth Furman Bradenton, Florida Vehicle Registration Refund	31.50	Disapproved

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 189 Ways and Means

To authorize certain persons to file a claim for the property tax credit on behalf of a deceased homeowner.

S.B. 190 State Government

Providing an annual inspection fee for mobile home parks.

S.B. 191 State Government

Relating to the educational requirements of registered professional engineers and registered land surveyors.

S.B. 192 State Government

Relating to the state board of engineering examiners.

S.B. 193 Human Resources

Creating a committee to study the feasibility of the creation of an Iowa department on aging.

S.B. 194 Natural Resources

To provide for reciprocity among the states on the license fee for fur buyers.

S.B. 195 Agriculture

Relating to Department of Agriculture inspection fees.

S.B. 196 Small Business and Commerce

Relating to public utilities and providing civil penalties.

SUBCOMMITTEE ASSIGNMENTS

House File 62

Local Government: Black, Chair; Spear and Torrence.

House File 165

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

House File 172

Energy: Jay, Chair; McIntee, Osterberg, Shoultz and Van Camp.

House File 183

Local Government: Poncy, Chair; Sherzan and Tofte.

House File 195

Transportation: Renaud, Chair; Corey and Muhlbauer.

House File 198

Transportation: Cochran, Chair; Pavich and Pellett.

House File 199

Agriculture: Koenigs, Chair; Carter and Rensink.

House File 200

Agriculture: Copenhaver, Chair; Anderson and Hughes.

House File 203

Education: Krewson, Chair; Handorf and Spear.

House File 206

Transportation: Miller, Chair; Cooper and Welden.

House File 208

Energy: Jay, Chair; McIntee, Osterberg, Shoultz and Van Camp.

House File 209

Energy: Groninga, Chair; Knapp and Van Gerpen.

House File 211

Ways and Means: O'Kane, Chair; Osterberg and Renken.

House File 216

Finance: Halvorson of Webster, Chair; Chiodo and Hummel.

House File 218

Finance: Halvorson of Webster, Chair; Doderer and Hanson.

House File 220

Ways and Means: Tabor, Chair; Bennett and Copenhaver.

House File 222

Agriculture: Gruhn, Chair; Halvorson of Webster and De Groot.

House File 223

Judiciary and Law Enforcement: Parker, Chair; Paulin and Varn.

House File 224

Local Government: Running, Chair; Menke and Renaud.

House File 225

Ways and Means: Tabor, Chair; De Groot and Oxley.

House File 227

Ways and Means: Holveck, Chair; Oxley and Renken.

House File 228

Ways and Means: Groninga, Chair; Holveck and Maulsby.

House File 232

Ways and Means: Fey, Chair; Clark, Cochran, Lageschulte and Oxley.

House File 233

Local Government: Lloyd-Jones, Chair; Lageschulte and Renaud.

House File 241

Finance: Halvorson of Webster, Chair; Doderer and Hanson

Senate File 88

Education: Hughes, Chair; Branstad and Poncy.

Senate File 136

Judiciary and Law Enforcement: Jay, Chair; Chapman and McKean.

Senate File 172

Agriculture: Hughes, Chair; Carter and Van Maanen.

Senate File 177

Agriculture: Halvorson of Webster, Chair; Copenhaver, De Groot, Fogarty and Pellett.

Senate File 195

Energy: Mullins, Chair; Baxter, Black, Clark and Sullivan.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 29

Local Government: Black, Chair; Hermann and Peick.

Study Bill 99

Energy: Groninga, Chair; Hughes, McIntee, Paulin and Shoultz.

Study Bill 167

Human Resources: Spear, Chair; Clark, Connors, Hermann and Sherzan.

Study Bill 168

Human Resources: Spear, Chair; Clark, Connors, Hermann and Sherzan.

Study Bill 169

Human Resources: Spear, Chair; Clark, Connors, Hermann and Sherzan.

Study Bill 170

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 171

Local Government: Sherzan, Chair; Lloyd-Jones and Renken.

Study Bill 172

Local Government: Black, Chair; Cooper and Hermann.

Study Bill 173

Transportation: Harbor, Chair; Koenigs, Pavich, Van Camp and Woods.

Study Bill 174

Small Business and Commerce: Chiodo, Chair; Halvorson of Clayton and Skow.

Study Bill 175

Education: Groth, Chair; Jay and Maulsby.

Study Bill 176

Local Government: Cooper, Chair; Grandia and Royer.

Study Bill 177

Local Government: O'Kane, Chair; Cooper and Hermann.

Study Bill 178

Local Government: Spear, Chair; Cooper, Renaud, Renken and Torrence.

Study Bill 179

Local Government: Black, Chair; Spear and Torrence.

Study Bill 180

Local Government: Black, Chair; Cooper, O'Kane, Renken and Royer.

Study Bill 181

State Government: Carpenter, Chair; Gruhn and Pavich

Study Bill 182

Ways and Means: Tabor, Chair; Holveck and Maulsby.

Study Bill 183

Ways and Means: Varn, Chair; Brammer and Maulsby.

Study Bill 184

Energy: Mullins, Chair; Baxter, Black, Clark and Sullivan.

Study Bill 186

Agriculture: Cochran, Chair; Anderson, Bennett, Blanshan, Davitt, Koenigs, Skow and Stueland.

Study Bill 187

Agriculture: Zimmerman, Chair; De Groot and Muhlbauer.

Study Bill 188

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 195

Agriculture: Copenhaver, Chair; Fogarty and Handorf.

Study Bill 196

Small Business and Commerce: Chiodo, Chair; Gronstal, Holveck, McIntee, Parker, Renken, Schroeder and Sturgeon.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

House File 203, a bill for an act to provide that students receive training in cardiopulmonary resuscitation prior to graduation from high school.

Fiscal Note is not required.

Committee Action: **Failed to Pass** February 16, 1983.

Senate File 88, a bill for an act relating to the amount of land owned by a merged area.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 1983.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly Study Bill 167), relating to requiring the department of social services to prepare and submit a biennial plan relating to the management of the community-based corrections programs and services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 1983.

Committee Bill (Formerly Study Bill 168), relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly House File 31), relating to health care benefits provided to corporate officers who voluntarily exclude themselves from coverage under section 85.61, subsection 3, paragraph d.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 125), relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 16, 1983.

AMENDMENTS FILED

H—3133	H.F. 57	Miller of Woodbury
H—3134	H.F. 57	Miller of Woodbury
H—3135	H.F. 81	Davitt of Warren
H—3136	H.F. 131	Black of Jasper Sherzan of Polk Torrence of Muscatine

On motion by Norland of Worth, the House adjourned at 5:37 p.m., until 10:00 a.m., Monday, February 21, 1983.

JOURNAL OF THE HOUSE

Forty-third Calendar Day — Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 21, 1983

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

Prayer was offered by the Reverend Scott C. Hall, pastor of the Altoona United Methodist Church, Altoona.

The Journal of Thursday, February 17, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schnekloth of Scott on request of Bennett of Ida.

INTRODUCTION OF BILLS

House File 246, by Carl, Lonergan and Mullins, a bill for an act relating to insurance coverage for mental health services provided by licensed psychologists.

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

House File 247, by committee on human resources, a bill for an act requiring the department of social services to prepare and the council on social services to submit a biennial plan relating to the management of the community-based corrections programs and services.

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

House File 248, by Zimmerman and O'Kane, a bill for an act relating to smoking in public places and public meetings and applying existing penalties.

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

House File 249, by Chapman, Doderer, Jay, Mullins, Baxter, Zimmerman, Clark, Carl, Peick, Lonergan, Lloyd-Jones and Buhr, a bill for an act exempting alimony judgments from limitations on the amount of a judgment debtor's personal income that can be garnisheed each year.

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

House File 250, by Zimmerman, a bill for an act relating to the licensing of public school boards for the purpose of conducting gambling activities.

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

House File 251, by Connors, a bill for an act relating to the services of process in civil actions and proceedings by persons other than law enforcement officers.

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

House File 252, by Running, a bill for an act relating to contributions to political campaigns.

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

House File 253, by Skow, a bill for an act to eliminate the filing of a summary report of tax exempt property.

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

House File 254, by Mullins, a bill for an act relating to child care, by requiring registration of family day care homes and adopting provisions relating to child abuse in licensed and registered care facilities.

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

House File 255, by Halvorson of Webster, a bill for an act providing for submission to the people of a nonbinding referendum on a proposal to freeze the further escalation of nuclear weapons.

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

House File 256, by Skow, a bill for an act removing the aggregate taxable values of real estate in a school district from a county assessor's annual abstract of real and personal property.

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

House File 257, by Renaud and Connors, a bill for an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties.

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

House File 258, by Anderson, a bill for an act relating to the limitation on state bank investments in certain bonds or notes issued by the Iowa Family Farm Development Authority.

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

House File 259, by Cooper, Black, Royer, Jay, Tofte, Skow and Van Maanen, a bill for an act to provide for the election of the state soil conservation committee by soil conservation district commissioners.

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

House File 260, by Diemer, Groninga, Van Gerpen, McIntee, Lageschulte, Hermann, Paulin, Van Maanen and Menke, a bill for an act relating to the release of defendants and conditions required for bail.

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

House File 261, by Diemer, Paulin, McIntee, Hermann, Royer, Van Gerpen and Van Maanen, a bill for an act relating to the criminal history and intelligence data.

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

House File 262, by Halvorson of Webster, a bill for an act relating to credit union reciprocity, par value of shares, deposits, investments, powers, membership, and reserves.

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

House File 263, by Diemer, Van Gerpen and Lageschulte, a bill for an act relating to and making appropriations to the state board of regents and institutions under the control of the state board of regents, the commission for the blind, the state educational radio and television facility, the department of general services, the state conservation commission, the Iowa state historical department, the energy policy council, the state fair board, the department of public defense, and the department of public safety for capital projects.

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

House File 264, by Lageschulte and Diemer, a bill for an act relating to the sentences of offenders.

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

House File 265, by Diemer, Parker, Pavich, Varn, Groninga, Paulin, Hammond, Van Gerpen, McIntee and Van Maanen, a bill for an act relating to projects for which industrial development bonds may be issued by a city or county.

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

House File 266, by Daggett and Hughes, a bill for an act to include rural transit services which receive state or federal funds within the definition of Iowa urban transit systems for the purpose of obtaining motor fuel and special fuel tax exemptions.

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

House File 267, by Krewson, a bill for an act relating to the membership of the state board of health.

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

House File 268, by Running, a bill for an act relating to the use of schoolhouses by state boards and agencies.

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

House File 269, by Cochran, a bill for an act relating to the amount of money an individual farmer may be loaned under the soil conservation loan program.

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

House File 270, by Connolly, a bill for an act relating to the issuance and termination of teachers' contracts.

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

House File 271, by Connolly, a bill for an act relating to reporting and study of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange.

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

House File 272, by Rosenberg, a bill for an act relating to energy conservation programs of the Iowa commerce commission.

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

House File 273, by Daggett, a bill for an act partially exempting farm machinery and its repair from the state sales, services, and use tax.

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

House File 274, by Woods, Cooper, Black and Daggett, a bill for an act relating to the age, years of service, and costs of retirement under the Iowa public employees' retirement system for certain peace officers.

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

House File 275, by Tofte, a bill for an act relating to the number of instructors at a school of cosmetology.

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 February 16, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 97, a bill for an act relating to the confidentiality of domestic abuse case records.

Also: That the Senate has on February 16, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 213, a bill for an act providing for the issuance of a single trip permit to transport a mobile home or factory-built structure on the highways of the state where the overall length of the mobile home or factory-built structure and the power unit does not exceed ninety-five feet.

K. MARIE THAYER, Secretary

Rosenberg of Story in the chair at 10:17 a.m.

CONSIDERATION OF BILLS
Appropriations Calendar

SENATE FILE 220 SUBSTITUTED FOR HOUSE FILE 213

Carl of Poweshiek asked and received unanimous consent to substitute Senate File 220 for House File 213.

Senate File 220, a bill for an act to continue the unemployed parent program, the community work program for unemployed parents, and the child medical assistance program for the 1982-1983 fiscal year, effective upon publication, was taken up for consideration.

Carl of Poweshiek moved that the bill be read a last time 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. 220)

The ayes were, 97:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Rosenberg)			

The nays were, none.

Absent or not voting, 3:

Jay	O'Kane	Schnekloth

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

HOUSE FILE 213 WITHDRAWN

Carl of Poweshiek asked and received unanimous consent to withdraw House File 213 from further consideration by the House.

REGULAR CALENDAR

House File 57, a bill for an act relating to the accident report filed by law enforcement officers with the department of transportation, with report of committee recommending amendment and passage was taken up for consideration.

Fogarty of Palo Alto offered the following amendment H–3053 filed by the committee on transportation and moved its adoption:

H–3053

Amend House File 57 as follows:
1. Page 1, line 9, by striking the word "that" and inserting in lieu thereof the word "a".

The committee amendment H–3053 was adopted.

Miller of Woodbury offered the following amendment H–3134 filed by him and moved its adoption:

H–3134

Amend House File 57 as follows:
1. Page 1, line 8, by striking the word "a report" and inserting in lieu thereof the words "an investigating officer's report of a motor vehicle accident".

Amendment H–3134 was adopted.

Spear of Lee offered the following amendment H–3097 filed by him:

H–3097

Amend House File 57 as follows:
1. Page 1, line 8, by inserting after the word "report" the words "filed with the department".

Speaker Avenson in the chair at 10:40 a.m.

On motion by Spear of Lee, amendment H–3097 was adopted.

Miller of Woodbury offered the following amendment H–3133 filed by him:

H–3133

Amend House File 57 as follows:
1. Page 1, lines 12 and 13, by striking the words "of four dollars for each copy".

Van Maanen of Mahaska in the chair at 10:47 a.m.

Miller of Woodbury moved the adoption of amendment H–3133.

A non-record roll call was requested.

The ayes were 55, nays 34.

Amendment H—3133 was adopted.

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

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

The ayes were, 97:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Van Maanen)			

The nays were, none.

Absent or not voting, 3:

Branstad	Jay	Schnekloth

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

House File 157, a bill for an act relating to the allowable speed of school buses, was taken up for consideration.

Welden of Hardin asked and received unanimous consent to withdraw amendment H–3118 filed by him on February 14, 1983.

Muhlbauer 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. 157)

The ayes were, 93:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jochum	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Van Maanen)			

The nays were, 3:

Knapp	McKean	Van Camp

Absent or not voting, 4:

Branstad	Hammond	Jay	Schnekloth

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

Speaker Avenson in the chair at 11:00 a.m.

The House stood at ease at 11:01 a.m., until the fall of the gavel.

The House resumed session at 12:12 p.m., Speaker Avenson in the chair.

HOUSE CONCURRENT RESOLUTION 12
By De Groot

Whereas, it has been the custom to hold a biennial memorial session in recognition of the public service of departed members of the General Assembly; and

Whereas, both Houses desire to participate in such an observance; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That an evening session of the Seventieth General Assembly be held in the House chamber Tuesday evening, March 29, 1983 at 7:30 p.m.

Be It Further Resolved, That a joint committee of eight members be appointed, four from the Senate to be appointed by the President of the Senate, and four from the House to be appointed by the Speaker of the House, to make suitable arrangements for a joint memorial session.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 13
By Shoultz, Peick, Tabor, Pavich, Harbor, Lonergan, Oxley, Jochum, Corey, Woods, O'Kane, Carter, Renaud, Schnekloth, Haverland, Ollie, Hummel, Copenhaver, Lloyd-Jones, Hermann, Maulsby, McIntee, Knapp, Carpenter, Gronstal, Lageschulte, Grandia, Groth, Cooper, Doderer, Daggett, Poncy, Buhr, Rosenberg, Hammond, Fey, Norland and Hoffmann-Bright

Whereas, Dr. Martin Luther King, Jr. was a great leader in promoting the extension of equal civil rights and justice to all the citizens of this nation regardless of race; and

Whereas, Dr. Martin Luther King, Jr. persevered in his determination that political change must be achieved by nonviolent means and was not tempted by those who urged or responded with violence; and

Whereas, Dr. Martin Luther King, Jr. led a movement which greatly contributed to the passage of the federal Equal Rights Act of 1964 and the federal Voting Rights Act of 1965; and

Whereas, international recognition of Dr. Martin Luther King, Jr.'s leadership was given when the Nobel Peace Prize was awarded to him; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the United States Congress is urged to establish the birthday of Dr. Martin Luther King, Jr. as a national holiday; and

Be It Further Resolved, That a copy of this resolution be transmitted to each member of the Iowa congressional delegation and the presiding officers of the United States senate and house of representatives.

Laid over under Rule 25.

PRESENTATION OF VISITORS

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

Sixty third grade students from Cornell School, Des Moines, accompanied by Margaret Thornton, Mrs. Allen, Mrs. Lundgren and Mr. Haigh. By Sherzan of Polk.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 197 State Government

To license operators of radiation emitting equipment.

S.B. 198 Local Government

To repeal provisions which would omit the value of the property of a railroad corporation which has been declared bankrupt or is in bankruptcy proceedings from the tax base of a taxing district for the purposes of computing the property tax levy rate and the amount to be received from the foundation property tax levy.

S.B. 199 Local Government

Relating to the applicability of county zoning ordinances.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 7, a bill for an act declaring shattercane (sorghum bicolor) a secondary noxious weed.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 1983.

Senate File 177, a bill for an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** with amendment H—3137 February 17, 1983.

COMMITTEE ON FINANCE

House File 218, a bill for an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

Fiscal Note is required.

Recommended **Do Pass** February 21, 1983.

House File 241, a bill for an act relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive.

Fiscal Note is required.

Recommended **Do Pass** February 21, 1983.

COMMITTEE ON LOCAL GOVERNMENT

House File 108, a bill for an act prohibiting county and city zoning practices and restrictive covenants which exclude or discriminate against community-based residential homes providing room and board and other services for developmentally disabled persons.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3138** February 17, 1983.

House File 201, a bill for an act to delete a requirement that claims against a county be verified by the signature of the claimant.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 1983.

Senate File 116, a bill for an act relating to the certified eligible list for promotion for city civil service.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 1983.

Committee Bill (Formerly Study Bill 176), increasing the penalties for removal or defacing of traffic control devices.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 1983.

AMENDMENTS FILED

H—3137	S.F. 177	Committee on Agriculture
H—3138	H.F. 108	Committee on Local Government
H—3139	H.F. 108	Connors of Polk

On motion by Norland of Worth, the House adjourned at 12:13 p.m., until 9:00 a.m., Tuesday, February 22, 1983.

JOURNAL OF THE HOUSE

Forty-fourth Calendar Day—Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 22, 1983

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

Prayer was offered by the Reverend William Ballard, pastor of the United Methodist Church, Centerville.

The Journal of Monday, February 21, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Bob Gardner, Iowa Lutheran Hospital, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton.

INTRODUCTION OF BILLS

House File 276, by Poncy, 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 277, by Diemer, Skow, Black, Paulin, McIntee, Renaud, Grandia, Torrence, Van Camp, Swearingen, Cooper, Groninga, Royer, Van Gerpen, Blanshan and Hermann, a bill for an act relating to the employment of inmates in public service.

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

House File 278, by committee on state government, a bill for an act defining the role of an auctioneer in selling real property without needing a real estate license.

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

House File 279, by committee on human resources, a bill for an act relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs.

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

House File 280, by Anderson, a bill for an act relating to the teaching of the origin of humankind.

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

House File 281, by Lageschulte and Diemer, a bill for an act relating to the revision of the juvenile victim restitution program and making an appropriation.

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

House File 282, by Van Gerpen, Diemer, Clark, De Groot, Maulsby, Muhlbauer, Sullivan and Lonergan, a bill for an act allowing use of minors' school licenses for travel between schools of enrollment.

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

House File 283, by Brammer, a bill for an act to provide an evidentiary presumption regarding the alteration of serial numbers or identification marks.

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

House File 284, by Jochum, a bill for an act to prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition treated within the lawful scope of practice.

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

House File 285, by Lageschulte and Diemer, a bill for an act relating to the continuation of the unemployed parent program, the community work program for unemployed parents, and the child medical assistance program for the 1982-1983 fiscal year, and providing a publication clause.

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

House File 286, by Running, a bill for an act requiring the board of directors of a school corporation to notify the parent or legal guardian of a student who is a passenger in a school-owned vehicle which is involved in an accident.

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

House File 287, by Lageschulte, a bill for an act relating to the calculation of state school foundation aid including the state foundation base and the budget guarantee.

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

House File 288, by Knapp, a bill for an act relating to public school membership in an athletic organization and providing a five-year compliance period.

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

House File 289, by Lageschulte, a bill for an act relating to the cigarette and tobacco tax by making the temporary tax increase permanent, making the stamp purchase discount rate permanent, and excluding the tax as part of the basic cost of cigarettes.

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

House File 290, by Lageschulte and Harbor, a bill for an act to require fiscal notes on bills, joint resolutions, and administrative rules.

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

House File 291, by Lloyd-Jones, Spear and Clark, a bill for an act relating to the compensation of personal representatives, assistants to personal representatives, and other fiduciaries, and providing review for the compensation under the probate code of Iowa.

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

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 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 51, a bill for an act relating to workers' compensation coverage and employers' liability coverage provided to corporate officers who voluntarily reject workers' compensation coverage.

Also: That the Senate has on February 17, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 92, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties.

K. MARIE THAYER, Secretary

PRESENTATION OF VISITOR

Muhlbauer of Crawford presented to the House the Honorable Frank Crabb, former member of the House representing Crawford County.

On motion by Norland of Worth, the House was recessed at 9:17 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SENATE MESSAGES CONSIDERED

Senate File 92, by Kinley, Palmer, Gallagher, Wells, Welsh, Colton, Rodgers, Hall, Slater, Brown and Priebe, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing

commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse and dog races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

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

Senate File 97, by Ritsema, a bill for an act relating to the confidentiality of domestic abuse case records.

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

Senate File 213, by committee on transportation, a bill for an act providing for the issuance of a single trip permit to transport a mobile home or factory-built structure on the highways of the state where the overall length of the mobile home or factory-built structure and the power unit does not exceed ninety-five feet.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doderer of Johnson on request of Fey of Scott and Haverland of Polk on request of Ollie of Clinton.

CONSIDERATION OF BILLS
Regular Calendar

House File 131, a bill for an act relating to the membership of and the record of actions taken by a county compensation board, was taken up for consideration.

Hanson of Delaware offered the following amendment H–3085 filed by him and Renken of Grundy:

H–3085

Amend House File 131 as follows:
1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 331.215, subsection 1, Code 1983, is amended to read as follows:

1. The supervisors shall receive an annual salary or per diem compensation as determined under section ~~331.907~~ 331.322, subsection 6. The annual salary or per diem shall be full payment for all services rendered to the county except for reimbursement for mileage and other expenses authorized in subsection 2.

Sec. 2. Section 331.321, subsection 1, paragraph n, Code 1983, is amended by striking the paragraph.

Sec. 3. Section 331.322, subsection 6, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

6. Determine the annual compensation of the members of the board and other elected county officers.

Sec. 4. Section 331.322, subsection 7, Code 1983, is amended by striking the subsection.

Sec. 5. Section 331.323, subsection 1, unnumbered paragraph 5, Code 1983, is amended to read as follows:

When the duties of an officer or employee are assigned to an elective officer, the board shall set the initial salary for the elective officer, which salary shall be at thirty percent greater than the salary otherwise established for the combined office or position with the highest salary. Thereafter, the salary shall be determined as provided in section ~~331.907~~ 331.322, subsection 6. When the duties of officers or employees are combined, the person who fills the combined office shall take the oath and give the bond required for each office and perform all the duties pertaining to each.

Sec. 6. Section 331.502, subsection 33, Code 1983, is amended by striking the subsection.

Sec. 7. Section 331.752, subsection 4, Code 1983, is amended to read as follows:

4. The resolution changing the status of a county attorney shall state the initial annual salary to be paid to the county attorney when the full-time or part-time status is effective. The annual salary specified in the resolution shall remain effective until changed as provided in section ~~331.907~~ 331.215. The annual salary of a full-time county attorney shall be an amount which is between forty-five percent and one hundred percent of the annual salary received by a district court judge.

Sec. 8. Section 331.907, subsections 1 and 2,

Page 2

Code 1983, are amended by striking the subsections.

Sec. 9. Sections 331.905 and 331.906, Code 1983, are repealed.

Sec. 10. This bill takes effect July 1, 1983. The final compensation schedule approved by a county compensation board and adopted by the board of supervisors shall be in effect for the 1983-1984 fiscal year."

Running of Linn in the chair at 4:21 p.m.

Hanson of Delaware offered the following amendment H—3140, to amendment H—3085, filed from the floor by him and Renken of Grundy and moved its adoption:

H—3140

Amend H—3085, filed to House File 131, as follows:

1. Page 1, by striking lines 18 and 19 and inserting in lieu thereof the following:

"6. Determine the annual compensation of the members of the board and of the other elected county officers. The compensation schedule shall be for two years and shall take effect on July 1 of each odd-numbered year."

Amendment H—3140 was adopted.

Black of Jasper offered the following amendment H—3136, to amendment H—3085 filed by Black, et al., and moved its adoption:

H—3136

Amend amendment H—3085 to House File 131 as follows:

1. By striking page 1, line 4 through page 2, line 8 and inserting in lieu thereof the following:

"Section 1. Section 331.905, subsection 1, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

1. There is created in each county a county compensation board which shall be composed of the members of the board of supervisors, county attorney, auditor, treasurer, recorder, sheriff, and clerk.

Sec. 2. Section 331.905, subsections 2 and 3, Code 1983, are amended by striking the subsections.

Sec. 3. Section 331.905, subsection 5, Code 1983, is amended to read as follows:

5. The ~~county compensation board shall elect a~~ chairperson ~~and vice chairperson annually from among its membership~~ of the board of supervisors shall act as chairperson of the county compensation board.

The county compensation board shall meet at the call of the chairperson or upon written request of a majority of its membership. The concurrence of a majority of the members of the county compensation board shall determine any matter relating to its duties. The county compensation board shall select one member to record official actions taken by the county compensation board.

Sec. 4. Section 331.907, subsections 1 and 2, Code 1983, are amended to read as follows:

1. The annual compensation of the auditor, treasurer, recorder, clerk, sheriff, county attorney, and supervisors shall be determined as provided in this section. The county compensation board ~~annually~~ during August and September of each even-numbered year shall meet as necessary to review the compensation paid to comparable officers in other counties of this state, other states, private enterprise, and the federal government. The county compensation board shall prepare a recommended compensation schedule for the elective county officers. Following completion of the compensation schedule, the county compensation board shall publish the compensation schedule in a newspaper having general circulation throughout the county. The publication shall also include a public notice of the date and location of a hearing to be held by the county compensation board not less than one week nor more than three weeks from the date of notice. Upon completion of the public hearing, the county compensation board shall prepare a final compensation schedule recommendation.

2. ~~Annually during the month of December~~ Not later

than September 30 of each even-numbered year, the county compensation board shall transmit its recommended compensation schedule for the succeeding fiscal biennium to the board of supervisors. The board of supervisors shall review the recommended compensation schedule and determine the final compensation schedule for the elected county officers which shall not exceed the recommended compensation schedule. In determining the final compensation schedule if the board of supervisors wishes to reduce the amount of the recommended compensation schedule, the recommended increase in the annual salary or compensation of each elected county officer, if any, shall be reduced an equal percentage. The final biennial compensation schedule shall be adopted by the board of supervisors not later than October 15

of each even-numbered year. A copy of the final compensation schedule adopted by the board of supervisors shall be filed with the county budget at the office of the state comptroller. The final compensation schedule takes effect on July 1 following its adoption by the board of supervisors.

Sec. 5. Section 331.321, subsection 1, paragraph n, Code 1983, is amended by striking the paragraph.

Sec. 6. Section 331.502, subsection 33, Code 1983, is amended by striking the subsection.

Sec. 7. EXPIRATION OF TERMS. The terms of members of the county compensation board serving unexpired terms immediately before the effective date of this Act expire on the effective date of this Act.

Sec. 8. Section 331.906, Code 1983, is repealed.

Sec. 9. This Act takes effect July 1, 1984."

2. Amend the title, line 1, by inserting after the words "membership of" the words ", the reduction of an increase in a compensation schedule proposed by,"."

A non-record roll call was requested.

The ayes were 57, nays 37.

Amendment H—3136 was adopted placing out of order amendment H—3140, previously adopted.

Speaker Avenson in the chair at 5:00 p.m.

Hanson of Delaware moved the adoption of amendment H—3085, as amended.

A non-record roll call was requested.

The ayes were 49, nays 39.

Amendment H—3085, as amended, was adopted placing out of order the following amendments:

H—3096 filed by Schnekloth of Scott on February 8, 1983.
H—3104 filed by Stromer of Hancock on February 9, 1983.

The following amendment H—3141, filed from the floor by Stromer of Hancock, was adopted by unanimous consent:

H–3141

Amend House File 131 as follows:

1. Title page, by striking lines 1 and 2 and inserting in lieu thereof the words "An Act relating to the membership of a county compensation board, the adoption of a biennial compensation schedule by the board, and the record of actions taken by the board."

Black of Jasper moved that the bill be read a last time now and 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, 63:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Carpenter	Chapman	Chiodo	Clark
Connolly	Connors	Cooper	Corey
Diemer	Fey	Fogarty	Gronstal
Groth	Gruhn	Halvorson, R. A.	Hoffmann-Bright
Jay	Jochum	Knapp	Lloyd-Jones
McIntee	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Renaud	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoultz
Skow	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Camp	Van Gerpen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 32:

Buhr	Carl	Carter	Cochran
Copenhaver	Daggett	Davitt	De Groot
Grandia	Groninga	Halvorson, R. N.	Hammond
Hanson	Hermann	Holveck	Hughes
Hummel	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McKean	Menke
Paulin	Pellett	Poncy	Renken
Spear	Tofte	Van Maanen	Welden

Absent or not voting, 5:

Doderer	Handorf	Harbor	Haverland
Schroeder			

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

HOUSE FILE 146 WITHDRAWN

Schnekloth of Scott asked and received unanimous consent to withdraw House File 146 from further consideration by the House.

SPONSORS ADDED
(House File 233)

The following members requested to be added as sponsors of House File 233:

Connolly of Dubuque
Peick of Linn
Renken of Grundy
Knapp of Dubuque
Hermann of Scott

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 200 Education

Relating to the requirement that school districts maintain twelve grades and to provide for tuition payments by those districts not maintaining twelve grades.

S.B. 201 Agriculture

Providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer.

S.B. 202 Local Government

Relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 175), to authorize the board of directors of a school district to issue warrants in anticipation of revenue from the schoolhouse tax authorized by the voters.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly Study Bill 196), relating to public utilities and providing civil penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 1983.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 139), requiring political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 21, 1983.

On motion by Norland of Worth, the House adjourned at 5:12 p.m., until 9:00 a.m., Wednesday, February 23, 1983.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day — Twenty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 23, 1983

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

Prayer was offered by the Reverend Forrest Lay, pastor of the Grace United Methodist Church, Manson.

The Journal of Tuesday, February 22, 1983 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Royer of Page, from four hundred eleven constituents of the 93rd District opposing reduction in force of thirty-five employees at the Clarinda Treatment Complex.

By Swearingen of Keokuk, from twenty-six constituents opposing pari-mutuel betting of any kind.

INTRODUCTION OF BILLS

House File 292, by Spear, a bill for an act relating to dissolution and annulment forms and records.

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

House File 293, by Varn, a bill for an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominately rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax.

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

House File 294, by Doderer, Hammond, Carpenter, Lloyd-Jones, Carl and Krewson, a bill for an act to provide that nonpublic schools are included in the provisions of the civil rights Act prohibiting discrimination in education.

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

House File 295, by Stromer, a bill for an act to prescribe procedures to allow certain school districts to raise an additional school district operation amount under the state school foundation formula.

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

House File 296, by Brammer, a bill for an act to provide for the seizure of goods with altered, defaced, or removed serial or identification numbers or marks.

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

House File 297, by Welden, a bill for an act relating to the authority of licensing boards under the continuing education chapter.

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

House File 298, by Brammer, a bill for an act relating to the crime of altering, defacing, or removing a serial or identification mark or number or possessing or offering for sale goods with altered, defaced, or removed marks or numbers.

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

House File 299, by committee on ways and means, a bill for an act relating to the cigarette and tobacco tax by making the temporary tax increase permanent, providing for penalty and interest for delinquent payment of tax, failure to remit tax, failure to file return, and filing of a false return, and the time period in which a hearing on a protest to an assessment of tax is to be held.

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 12

De Groot of Lyon called up for consideration House Concurrent Resolution 12, relating to a joint memorial session to be held March 29, 1983, filed on February 21, 1983 and found on page 468 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(House Concurrent Resolution 12)

De Groot of Lyon asked and received unanimous consent that House Concurrent Resolution 12 be immediately messaged 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 February 21, 1983, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 6, relating to a nuclear arms freeze.

Also: That the Senate has on February 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 23, a bill for an act relating to the payment of property taxes by a taxpayer.

Also: That the Senate has on February 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 42, a bill for an act to set the time for the harvesting of wild ginseng.

Also: That the Senate has on February 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 138, a bill for an act relating to the annual salary of the deputy clerks of the district court in a county having two locations at which the district court is held.

Also: That the Senate has on February 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 175, a bill for an act exempting from the sales, services, and use tax the sale of tangible personal property needed by a handicapped person to specially equip a motor vehicle so that the person can operate it.

Also: That the Senate has on February 21, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 12, providing for judicial impact statements on bills or study bills.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 12
By Committee on Judiciary

Whereas, it would be of great value to the General Assembly to obtain information about the impact proposed legislation may have upon the work load of the courts as well as the fiscal effect of such legislation; and

Whereas, the Chief Justice of the Supreme Court of this state has informed the members of the General Assembly that the staff of the Judicial Coordinating Committee is available to prepare judicial impact statements on bills introduced in the General Assembly; and

Whereas, requests for judicial impact statements should be made by the committee chairpersons; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the chairpersons of standing committees of the Senate and House of Representatives of the Seventieth General Assembly may determine which of the bills and study bills referred to their committees appear to have a significant impact upon the judicial system of this state and may transmit these bills to the staff of the Judicial Coordinating Committee for completion of judicial impact statements. A statement shall provide information about the impact of a bill or study bill on the court's work load and the fiscal effect of the bill or study bill. The fiscal effect shall be determined pursuant to the fiscal note process.

Be It Further Resolved, That a copy of this resolution be transmitted to the Chief Justice of the Iowa Supreme Court.

Referred to committee on **judiciary and law enforcement.**

Norland of Worth moved that the House adjourn at 9:18 a.m., until 9:00 a.m., Thursday, February 24, 1983.

A non-record roll call was requested.

The ayes were 45, nays 14.

The motion prevailed.

MOTION TO RECONSIDER
(House File 131)

I move to reconsider the vote by which House File 131 passed the House on February 22, 1983.

WOODS of Polk

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 203 State Government

Establishing as the policy of the state that employees shall be paid at a rate based on comparable worth, providing for a study, and delaying the implementation of the policy.

S.B. 204 Ways and Means

To set forth the criteria of carrying on business in this state as being taxable or not taxable in another state to determine whether a corporation's net income is attributable partly or wholly to Iowa for Iowa corporate income tax purposes, with a retroactive effective date.

S.B. 205 Transportation

To repeal the requirement of a court appearance by a motor vehicle operator charged with speeding in excess of twenty miles per hour over the speed limit.

S.B. 206 Transportation

Defining resident for purposes of the motor vehicles laws.

S.B. 207 Small Business and Commerce

Providing for the regulation of residential maintenance service companies by the Iowa real estate commission, 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 80, a bill for an act relating to eligibility to serve on the board of trustees of a drainage district.

Fiscal note is not required.

Recommended **Amend and Do Pass with amendment H—3144** February 22, 1983.

COMMITTEE ON ENERGY

Senate File 195, a bill for an act to enact the midwest interstate low-level radioactive waste compact.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly House File 223), relating to the source of names for jury lists.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 1983.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 144, a bill for an act relating to the base period upon which unemployment compensation benefits are computed for certain individuals receiving workers' compensation benefits.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3142** February 22, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 132, a bill for an act relating to the examination and settlement of accounts of county officers or employees.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 1983.

COMMITTEE ON STATE GOVERNMENT

House File 176, a bill for an act providing that a political party or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with another qualified organization to conduct the games of skill, games of chance, or raffles.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3143** February 22, 1983.

Committee Bill (Formerly Study Bill 203), establishing as the policy of the state that employees shall be paid at a rate based on comparable worth, providing for a study, and delaying the implementation of the policy.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 1983.

AMENDMENTS FILED

H—3142	H.F. 144	Committee on Labor and Industrial Relations
H—3143	H.F. 176	Committee on State Government
H—3144	H.F. 80	Committee on Agriculture
H—3145	H.F. 81	Welden of Hardin
H—3146	H.F. 19	Spear of Lee
H—3147	S.F. 177	Copenhaver of Buchanan
H—3148	H.F. 26	Blanshan of Greene
H—3149	H.F. 241	Stromer of Hancock Hoffmann-Bright of Muscatine

On previous motion by Norland of Worth, the House adjourned at 9:18 a.m., until 9:00 a.m., Thursday, February 24, 1983.

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day—Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 24, 1983

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

Prayer was offered by the Reverend Paul Pennington, pastor of the United Methodist Church, Wilton.

The Journal of Wednesday, February 23, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Tim Vermill, Iowa Lutheran Hospital, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton.

PRESENTATION OF 1983 EASTER SEAL CHILD

Connors of Polk escorted to the front of the Speaker's station and presented to the House, Doug Hutcheson from Indianola, 1983 Easter Seal Child, serving as Iowa ambassador for the Easter Seal Society.

Doug, who is fourteen years old, was accompanied by his mother, Kathie; sister, Karla; grandmother, Kathryn; Senator Bass Van Gilst; and Mary Jane Odell, Secretary of State and State Easter Seal Chair.

Mary Jane stated that Doug is an outstanding young man who likes to write poetry and enjoys Camp Sunnyside. She urged all the members of the House to support Easter Seals and thanked them for their help.

The House responded with a warm welcome for Doug and his family.

INTRODUCTION OF BILLS

House Joint Resolution 9, by Hanson, Krewson, McKean, Arnould, Lloyd-Jones, Paulin, Doderer, Hammond, Clark, Swearingen, Carpenter and Renken, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

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

House File 300, by committee on small business and commerce, a bill for an act relating to workers' compensation coverage and employers' liability coverage provided to corporate officers who voluntarily reject workers' compensation coverage.

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

House File 301, by Skow, a bill for an act relating to the valuation of agricultural property.

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

House File 302, by O'Kane and Black, a bill for an act relating to the price of the habitat stamp.

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

House File 303, by Lageschulte, a bill for an act relating to children and obscene material and providing penalties.

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

House File 304, by Spear, a bill for an act relating to the authorization of a city or county to impose an annual amusement device tax.

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

House File 305, by Hanson, Halvorson of Clayton, Knapp, Van Camp, Clark, Handorf, Daggett, Connolly, Parker, Fey, Van Maanen, Carl, Sullivan and Fogarty, a bill for an act extending

the military property tax exemption to those with service-connected disabilities.

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

House File 306, by Clark, a bill for an act relating to the licensing of speech pathologists and audiologists.

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

House File 307, by Carter, a bill for an act relating to the use of a mobile radio transmitter for hunting coyotes.

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

House File 308, by Arnould, a bill for an act relating to procedures in the practice of chiropractic.

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

House File 309, by Tofte, a bill for an act relating to the tax levy for a sanitary disposal project.

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

House File 310, by Renaud and Swartz, a bill for an act relating to the application of liability limits of underinsured motor vehicle insurance coverages.

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

House File 311, by Corey and Connors, a bill for an act relating to the filing of claims to recover abandoned property.

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

SENATE MESSAGES CONSIDERED

Senate File 23, by Doyle, a bill for an act relating to the payment of property taxes by a taxpayer.

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

Senate File 42, by Hall, a bill for an act to set the time for the harvesting of wild ginseng.

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

Senate File 51, by Hutchins, a bill for an act relating to workers' compensation coverage and employers' liability coverage provided to corporate officers who voluntarily reject workers' compensation coverage.

Read first time and **passed on file.**

Senate File 138, by Doyle, a bill for an act relating to the annual salary of the deputy clerks of the district court in a county having two locations at which the district court is held.

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

Senate File 175, by Priebe and Kinley, a bill for an act exempting from the sales, services, and use tax the sale of tangible personal property needed by a handicapped person to specially equip a motor vehicle so that the person can operate it.

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 February 22, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 68, a bill for an act relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes.

Also: That the Senate has on February 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 90, a bill for an act regulating credit union share drafts and share draft accounts.

Also: That the Senate has on February 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 256, a bill for an act permitting the Code editor to editorially correct internal references to sections which are cited erroneously or have been repealed.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:30 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 312, by committee on small business and commerce, a bill for an act relating to public utilities and providing civil penalties.

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

House File 313, by committee on state government, a bill for an act establishing as the policy of the state that employees shall be paid at a rate based on comparable worth, providing for a study, and delaying the implementation of the policy.

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

House File 314, by committee on education, a bill for an act to authorize the board of directors of a school district to issue warrants in anticipation of revenue from the schoolhouse tax authorized by the voters.

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

House File 315, by committee on judiciary and law enforcement, a bill for an act to increase the jurisdictional amount of small claims court to two thousand dollars and to increase the small claims docket fee.

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

House File 316, by committee on judiciary and law enforcement, a bill for an act relating to the source of names for jury lists.

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

SENATE MESSAGES CONSIDERED

Senate File 90, by Bruner, a bill for an act regulating credit union share drafts and share draft accounts.

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

Senate File 256, by committee on judiciary, a bill for an act permitting the Code editor to editorially correct internal references to sections which are cited erroneously or have been repealed, and names of agencies, officers, or other entities which have been changed.

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

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 241, a bill for an act relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive, was taken up for consideration.

The House stood at ease at 3:11 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 241 at 3:45 p.m., Speaker Avenson in the chair.

Stromer of Hancock offered the following amendment H–3149 filed by him and Hoffmann-Bright of Muscatine:

H–3149

Amend House File 241 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 135D.22, subsection 2, unnumbered paragraph 1, Code 1983, is amended to read as follows:

If the owner of the mobile home was totally disabled, as defined in section 425.17, subsection 6 on or before December 31 of the base year, is a

surviving spouse having attained the age of fifty-five years on or before December 31 of the base year or has attained the age of sixty-five years on or before December 31 of the base year and has an income when included with that of a spouse which is less than four thousand dollars per year, no semiannual tax shall be imposed on the mobile home. If the income is four thousand dollars or more but less than ~~ten~~ twelve thousand dollars, the semiannual tax shall be computed as follows:

If the Household Income is:	Semiannual Tax Per Square Foot
$ 4,000 - 4,999.99	~~1.5~~ 0.5 cents
5,000 - 5,999.99	~~4.0~~ 3.0
6,000 - 6,999.99	~~6.0~~ 5.0
7,000 - 7,999.99	~~7.0~~ 6.0
8,000 - 8,999.99	~~7.5~~ 7.0
9,000 - 9,999.99	~~8.0~~ 7.5
10,000 - 11,999.99	8.0

Sec. 2. Section 425.23, subsection 1, Code 1983, is amended to read as follows:

1. The tentative credit or reimbursement shall be ~~the higher of the two amounts determined as follows:~~

~~a.~~ ~~The amount shall be~~ determined in accordance with the following schedule:

If the household income is:	Percent of property taxes due or rent constituting property taxes paid allowed as a credit or reimbursement:
$ 0 - 3,999.99	100%
4,000 - 4,999.99	~~85~~ 95
5,000 - 5,999.99	~~60~~ 70
6,000 - 6,999.99	~~40~~ 50
7,000 - 7,999.99	~~30~~ 40
8,000 - 8,999.99	~~25~~ 30
9,000 - 9,999.99	~~20~~ 25
10,000 - 11,999.99	20

~~b. If the claim is for property taxes due and the household income of the claimant is less than four thousand dollars, the alternative tentative credit shall be one hundred twenty-five dollars, but~~

Page 2

~~not to exceed the amount of property taxes due during the fiscal year next following the base year.~~

Sec. 3. Section 1 applies to claims filed on or after January 1, 1984.

Sec. 4. Section 2 is retroactive to January 1, 1983 for property tax credit claims filed on or after January 1, 1983 for taxes payable in the fiscal year

beginning July 1, 1983 and ending June 30, 1984 and for any subsequent years. Section 2 is applicable to rent reimbursement claims filed on or after January 1, 1984 for rents paid in calendar year 1983.

Sec. 5. This Act, being deemed of immediate importance, takes effect from and after its publication in the Globe-Gazette, a newspaper published in Mason City, Iowa, and in the Quad City Times, a newspaper published in Davenport, Iowa."

Clark of Cerro Gordo offered the following amendment H—3151, to amendment H—3149, filed by her from the floor and moved its adoption:

H—3151

Amend amendment H—3149 to House File 241 as follows:

1. Page 1, line 15, by striking the word "four" and inserting in lieu thereof the word "five".

2. Page 1, line 17, by striking the word "four" and inserting in lieu thereof the word "five".

3. Page 1, by striking lines 22 and 23 and inserting in lieu thereof the following:

"~~4,000 - 4,999.99~~	~~1.5~~	~~cents~~
$5,000 - 5,999.99	~~4.0~~	3.0 cents"

4. Page 1, by striking lines 39 and 40 and inserting in lieu thereof the following:

"~~$~~	~~0 - 3,999.99 ..... 100%~~		
~~$4,000~~	0 - 4,999.99	~~85~~	100%"

Roll call was requested by Clark of Cerro Gordo and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3151, to amendment H—3149, be adopted?"

The ayes were, 41:

Anderson	Bennett	Carl	Carpenter
Carter	Clark	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Schnekloth	Schroeder	Spear
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Zimmerman			

The nays were, 55:

Arnould	Baxter	Black	Blanshan
Brammer	Branstad	Buhr	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Gruhn	Halvorson, R. N.	Hammond	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Sturgeon	Sullivan	Swartz	Tabor
Varn	Welden	Mr. Speaker	

Absent or not voting, 4:

Groth	Harbor	Royer	Woods

Amendment H—3151 lost.

Stromer of Hancock moved the adoption of amendment H—3149.

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3149 be adopted?"

The ayes were, 31:

Anderson	Bennett	Carpenter	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hermann	Hoffmann-Bright
Krewson	Maulsby	McIntee	McKean
Menke	Mullins	Pellett	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	

The nays were, 68:

Arnould	Baxter	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey

Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Renken	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Welden	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 1:

Harbor

Amendment H—3149 lost.

Fey 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. 241)

The ayes were, 98:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor

Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Baxter	Harbor

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:

Baxter of Des Moines on request of Halvorson of Webster.

Regular Calendar

House File 74, a bill for an act relating to visitation at state correctional institutions by certain public officials and leaders of a religious community, with report of committee recommending amendment and passage was taken up for consideration.

Carl of Poweshiek in the chair at 4:58 p.m.

Spear of Lee offered the following amendment H—3047 filed by the committee on human resources:

H—3047

Amend House File 74 as follows:

1. Page 1, by striking lines 3 through 16 and inserting in lieu thereof the following:

"NEW SECTION. VISITATIONS. Members of the executive council, the attorney general, the lieutenant governor, members of the general assembly, judges of the supreme and district court and court of appeals, judicial magistrates, county attorneys and persons ordained or designated as regular leaders of a religious community may visit all institutions under the control of the division of adult corrections and the state training school at reasonable times."

2. Page 1, by inserting after line 18 the following:

"Sec. 2. Section 246.46, Code 1983, is repealed."

Rosenberg of Story offered the following amendment H—3086, to amendment H—3047, filed by him and moved its adoption:

H—3086

Amend amendment H—3047 to House File 74 as follows:
1. Page 1, line 10, by striking the word "may" and inserting in lieu thereof the words "are authorized to".

Amendment H—3086 was adopted.

Spear of Lee moved the adoption of the committee amendment H—3047, as amended.

A non-record roll call was requested.

The ayes were 68, nays 25.

The committee amendment H—3047, as amended, was adopted.

Spear 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. 74)

The ayes were, 70:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Hermann	Holveck	Jay
Jochum	Koenigs	Krewson	Lloyd-Jones
Lonergan	McIntee	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Poncy	Renaud	Rosenberg
Royer	Running	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Van Gerpen	Varn	Woods
Zimmerman	Madam Speaker (Carl)		

The nays were, 26:

Anderson	Bennett	Branstad	Daggett
De Groot	Grandia	Halvorson, R. A.	Handorf
Hanson	Hoffmann-Bright	Hummel	Knapp
Lageschulte	Maulsby	McKean	Menke
Pellett	Renken	Rensink	Schnekloth
Schroeder	Tofte	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, 4:

Baxter	Harbor	Hughes	Miller

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

House File 48, a bill for an act authorizing counties to contract with registered or certified public accountants to audit their financial records and transactions, with report of committee recommending amendment and passage was taken up for consideration.

Cooper of Lucas offered the following amendment H—3098 filed by the committee on local government:

H—3098

Amend House File 48 as follows:

1. Page 1, by striking lines 14 and 15 and inserting in lieu thereof the following: "11.19 for cities and school districts. If a board of supervisors elects to have the audit made by certified or registered accountants, it shall notify the auditor of state within sixty days after the close of the fiscal year to be audited. The report of ~~such~~ the examination of a county, county hospital, or county memorial hospital filed".

Diemer of Black Hawk offered the following amendment H—3130, to the committee amendment H—3098, filed by him and moved its adoption:

H—3130

Amend the amendment, H—3098, to House File 48 as follows:

1. Page 1, lines 5 and 6, by striking the words "or registered" and inserting in lieu thereof the word "public".

Amendment H—3130 was adopted.

On motion by Cooper of Lucas, the committee amendment H—3098, as amended, was adopted.

Diemer of Black Hawk offered the following amendment H—3129 filed by him and moved its adoption:

H—3129

Amend House File 48 as follows:

1. Page 1, line 10, by striking the words "or registered" and inserting in lieu thereof the words "~~or registered~~".

2. Page 1, line 11, by striking the words "and registered" and inserting in lieu thereof the words "~~and registered~~".

3. Page 1, line 21, by striking the words "registered or".

4. Amend the title, line 1, by striking the words "registered or".

Amendment H—3129 was adopted.

Speaker Avenson in the chair at 5:36 p.m.

Schroeder of Pottawattamie asked for unanimous consent to defer action on House File 48.

Objection was raised.

Schroeder of Pottawattamie moved that action on House File 48 be deferred.

A non-record roll call was requested.

The ayes were 27, nays 54.

The motion lost.

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

On the question "Shall the bill pass?" (H.F. 48)

The ayes were, 95:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hummel	Jay	Jochum
Knapp	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Baxter	Harbor	Hughes	Koenigs
Shoultz			

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 WITHDRAWN
(House File 131)

Woods of Polk asked and received unanimous consent to withdraw the motion to reconsider House File 131, relating to the membership of a county compensation board, the adoption of a biennial compensation schedule by the board, and the record of actions taken by the board, filed by him on February 23, 1983.

MOTIONS TO RECONSIDER
(House File 48)

I move to reconsider the vote by which House File 48 passed the House on February 24, 1983.

SCHROEDER of Pottawattamie

(House File 74)

I move to reconsider the vote by which House File 74 passed the House on February 24, 1983.

STROMER of Hancock

SPONSOR ADDED
(House File 233)

Chapman of Linn requested to be added as a sponsor of House File 233.

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 February, 1983: House Files 132 and 133.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

APPOINTMENT

Speaker Avenson announced the following appointment:

IOWA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
(House File 2357, 69th G.A., 2nd Session)

Representative Robert Renken — to fill an unexpired term ending June 30, 1984

PRESENTATION OF VISITORS

Carpenter of Polk presented to the House the Honorable Jim Johnson, former member of the House representing Johnson County.

Connors of Polk presented to the House Foreign Exchange Student, George Cortes from Naucalpan, Mexico, who presently is a student at Grandview College, Des Moines.

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

Seven 4-H members from Jefferson County, accompanied by Stan Gerling and Isabelle Salterberg. By Swearingen of Keokuk.

Three members of the wrestling team from Oelwein High School, Oelwein, accompanied by their coaches, Mr. Pohlmann and Mr. Derflinger. By Avenson of Fayette.

Thirty-seven juniors from Leo High School, Holy Cross, accompanied by Sister Felicia and Sister Monica. By Knapp of Dubuque.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 208 Judiciary and Law Enforcement

Relating to children and obscene material and providing penalties.

S.B. 209 Education

Relating to application and graduation fees required for a high school equivalency diploma and the expenses incurred by the department of public instruction.

S.B. 210 Natural Resources

Relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles.

S.B. 211 State Government

Relating to the campaign finance disclosure amendment.

S.B. 212 Agriculture

Relating to the collection of the Iowa soybean assessment at the time the soybeans are pledged to secure a loan.

S.B. 213 Agriculture

Relating to the collection of the Iowa corn assessment at the time the corn is pledged to secure a loan extended under a federal price support loan program.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 200), relating to the requirement that school districts maintain twelve grades and to provide for tuition payments by those districts not maintaining twelve grades.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1983.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly Study Bill 151), authorizing the conservation commission to protect and manage all wild vertebrates.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1983.

COMMITTEE ON TRANSPORTATION

House File 159, a bill for an act to allow the certified abstract of a person's motor vehicle operating record to be obtained from the county sheriff.

Committee Action: **Failed to Pass** February 23, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 158), increasing the rate of excise tax on gasohol, establishing an ethanol production incentive fund and providing penalties for false claims filed for production incentives.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 23, 1983.

AMENDMENTS FILED

H–3150	H.C.R.	9	Parker of Jasper Rosenberg of Story Schroeder of Pottawattamie Baxter of Des Moines Skow of Guthrie McIntee of Black Hawk Diemer of Black Hawk Jochum of Dubuque Mullins of Kossuth Swartz of Marshall Gronstal of Pottawattamie
H–3152	H.C.R.	9	Rosenberg of Story
H–3153	H.F.	219	Jay of Appanoose
H–3154	H.F.	19	Spear of Lee
H–3155	S.F.	158	O'Kane of Woodbury
H–3156	H.F.	140	Spear of Lee
H–3157	H.C.R.	9	Halvorson of Clayton

On motion by Norland of Worth, the House adjourned at 5:52 p.m., until 9:00 a.m., Friday, February 25, 1983.

JOURNAL OF THE HOUSE

Forty-seventh Calendar Day — Thirty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 25, 1983

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

Prayer was offered by the Reverend Delmar Thiesse, pastor of the Third Reform Church, Pella.

The Journal of Thursday, February 24, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Stromer of Hancock and Lageschulte of Bremer on request of Pellett of Cass.

INTRODUCTION OF BILLS

House File 317, by Fey, a bill for an act relating to the licensing of public school boards for the purpose of conducting gambling activities.

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

House File 318, by Diemer, Van Gerpen, Renaud, Paulin, Swearingen, Royer, Cooper, Muhlbauer and Hermann, a bill for an act relating to certain modifications of the law with respect to civil actions predicated upon products liability.

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

House File 319, by Hummel, a bill for an act making an attempt to purchase alcoholic liquor or beer by a person under legal age a simple misdemeanor.

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

House File 320, by Hummel, a bill for an act to strike the requirement that an election be held in order for a school corporation to exceed a property tax levy of two dollars and seventy cents per thousand dollars of the assessed value of property in the school corporation to apply on principal and interest due on lawful bonded indebtedness of the corporation.

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

House File 321, by Doderer, a bill for an act relating to the judicial nominating commissions.

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

House File 322, by Doderer, a bill for an act relating to the publication requirements of cities and counties.

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

House File 323, by Carl, a bill for an act relating to sex discrimination in retirement programs.

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

House File 324, by Diemer, Spear, Hummel, Sullivan, McIntee, Van Gerpen, Royer, Cochran, Corey, Oxley, Branstad, Hermann, Van Camp, Rensink and Schnekloth, a bill for an act imposing a monthly fee of ten dollars on offenders on parole and defendants granted probation.

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

House File 325, by Baxter, a bill for an act relating to pets in certain rental housing accommodations.

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

House File 326, by Carl, a bill for an act authorizing the county board of supervisors to waive the payment of the interest penalty on delinquent property taxes for reasons of an extended period of unemployment.

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

House File 327, by Hummel, a bill for an act allowing a vendee to charge for reasonable attorneys fees in the forfeiture of a real estate contract.

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

House File 328, by Hanson, Halvorson of Clayton, Branstad and Miller, a bill for an act to suspend an administrative rule of the department of transportation on escort vehicles.

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

House File 329, by Brammer, a bill for an act relating to appeal of bond set after parole revocation.

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

House File 330, by Brammer, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony.

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

House File 331, by Varn, a bill for an act relating to parole revocations.

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

House File 332, by Cochran and Davitt, a bill for an act to allow a transfer of membership service from a local fire or police retirement system to the Iowa public employees' retirement system.

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

House File 333, by Bennett, a bill for an act establishing a flat fee for a class "C" beer permit.

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

House File 334, by Running, Brammer, Shoultz, Peick, Sherzan, Connolly, Halvorson of Webster, Pavich, Groninga, Ollie, Miller, Jochum and Hughes, a bill for an act relating to public employment contract negotiations and the powers of the public employment relations board.

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

House File 335, by Carl, 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 **small business and commerce.**

House File 336, by Halvorson of Clayton, a bill for an act to establish and license special liquor retailers and special retail liquor establishments and make corresponding amendments to the Code, including penalty provisions.

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

House File 337, by Copenhaver, Fey and Spear, a bill for an act relating to the exemption of certain vehicles from the prohibition against altering a vehicle's center of gravity.

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

House File 338, by Blanshan, a bill for an act relating to the selection of official county newspapers.

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

House File 339, by McIntee, Chiodo, Diemer, Halvorson of Clayton, Hummel, Schnekloth and Schroeder, a bill for an act relating to the postconviction procedure Act.

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

House File 340, by Swearingen, Van Maanen, Stromer, Blanshan, Welden, Maulsby and Anderson, a bill for an act relating to the tax levy to support ambulance service in a county.

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

House File 341, by committee on natural resources, a bill for an act relating to the taking of fish for stocking and exchange.

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

House File 342, by committee on ways and means, a bill for an act establishing an ethanol production incentive fund for purposes of providing a production incentive to ethanol producers in the state on the first one hundred thousand gallons of eligible ethanol produced each year, providing a maximum annual appropriation of five hundred thousand dollars, and providing penalties for false claims filed for production incentives.

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

House File 343, by committee on natural resources, a bill for an act authorizing the conservation commission to protect and manage all wild vertebrates.

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 February 23, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 120, a bill for an act relating to school year requirements (with amendment H–3160).

Also: That the Senate has on February 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 56, a bill for an act relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Regular Calendar

House File 4, a bill for an act relating to the definition of a parcel

of land in relation to fees charged by county auditors for transfers made in the transfer books, with report of committee recommending passage was taken up for consideration.

Running 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. 4)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Halvorson, R. A.	Harbor	Jochum	Lageschulte

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

House File 140, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor and making it effective upon publication, was taken up for consideration.

Menke of O'Brien in the chair at 9:25 a.m.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3082 filed by him on February 3, 1983.

Spear of Lee offered the following amendment H—3089 filed by him:

H—3089

Amend House File 140 as follows:
1. Page 1, by striking lines 3 through 10 and inserting in lieu thereof the following:
"NEW LETTERED PARAGRAPH. As soon as feasible and to the extent practicable, adopt rules to make general application of a principle of law or policy lawfully declared by the agency as the basis for its decision in particular cases when both of the following apply:
(1) The principle of law or policy could reasonably be expected to have general applicability.
(2) The principle of law or policy would not otherwise be excluded from the definition of a rule by section 17A.2, subsection 7, paragraphs a through k."

Spear of Lee offered the following amendment H—3156, to amendment H—3089, filed by him and moved its adoption:

H—3156

Amend amendment H—3089 to House File 140 as follows:
1. Page 1, line 8, by striking the word "both" and inserting in lieu thereof the word "all".
2. Page 1, by inserting after line 10 the following:
"(2) The principle of law or policy is not currently contained in rules, statutes or the constitution."
3. By renumbering to conform with this amendment.

Amendment H—3156 was adopted.

On motion by Spear of Lee, amendment H—3089, as amended, was adopted.

Hanson of Delaware offered the following amendment H—3080 filed by Hanson, et al. :

H—3080

Amend House File 140, as follows:
1. Page 1, line 14, by inserting after the word "rule" the words "on the grounds that it is unreasonable, arbitrary, capricious, contrary to legislative intent, or otherwise beyond the authority delegated to the agency".
2. Page 1, line 21, by inserting after the word "capricious" the words ", contrary to legislative intent,".

Hanson of Delaware offered the following amendment H—3087, to amendment H—3080, filed by him and moved its adoption:

H—3087

Amend House Amendment H—3080 to House File 140, as follows:
1. Page 1, by inserting after line 9 the following:
"3. Page 2, line 6, by inserting after the word "capricious" the words ", contrary to legislative intent,".

Amendment H—3087 was adopted.

Speaker Avenson in the chair at 9:53 a.m.

On motion by Hanson of Delaware, amendment H—3080, as amended, was adopted.

Parker of Jasper offered the following amendment H—3093 filed by Parker, et al.:

H—3093

Amend House File 140 as follows:
1. Page 1, by striking lines 11 through 15.
2. Page 3, by striking lines 15 and 16 and inserting in lieu thereof the words "by a joint resolution approved by the governor, the rule shall become".
3. By renumbering the sections and correcting internal references to conform with this amendment.

Woods of Polk in the chair at 10:12 a.m.

Parker of Jasper moved the adoption of amendment H—3093.

Roll call was requested by Chiodo of Polk and Schroeder of Pottawattamie.

On the question "Shall amendment H—3093 be adopted?"

The ayes were, 45:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Cochran	Copenhaver	Corey	Daggett
Davitt	Doderer	Fey	Groninga
Halvorson, R. A.	Halvorson, R. N.	Hammond	Haverland
Holveck	Jochum	Krewson	Lloyd-Jones
Lonergan	Muhlbauer	Mullins	O'Kane
Ollie	Osterberg	Oxley	Parker
Poncy	Renaud	Rensink	Rosenberg
Royer	Sherzan	Shoultz	Skow
Tabor	Van Gerpen	Varn	Zimmerman
Mr. Speaker (Woods)			

The nays were, 53:

Anderson	Avenson	Baxter	Bennett
Branstad	Chapman	Chiodo	Clark
Connolly	Connors	Cooper	De Groot
Diemer	Fogarty	Grandia	Gronstal
Groth	Gruhn	Handorf	Hanson
Hermann	Hoffmann-Bright	Hughes	Hummel
Jay	Knapp	Koenigs	Maulsby
McIntee	McKean	Menke	Miller
Norland	Paulin	Pavich	Peick
Pellett	Renken	Running	Schnekloth
Schroeder	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tofte	Torrence	Van Camp	Van Maanen
Welden			

Absent or not voting, 2:

Harbor	Lageschulte

Amendment H—3093 lost.

Speaker Avenson in the chair at 11:08 a.m.

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.

On the question "Shall the bill pass?" (H.F. 140)

The ayes were, 78:

Anderson	Baxter	Bennett	Black
Blanshan	Branstad	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Daggett
Davitt	De Groot	Diemer	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie
Oxley	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Schroeder	Sherzan	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tofte	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Mr. Speaker		

The nays were, 20:

Arnould	Brammer	Buhr	Carl
Copenhaver	Corey	Doderer	Fey
Hammond	Krewson	Lloyd-Jones	Lonergan
Mullins	Osterberg	Parker	Rosenberg
Shoultz	Tabor	Van Gerpen	Zimmerman

Absent or not voting, 2:

Harbor	Lageschulte

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 9

Rosenberg of Story called up for consideration House Concurrent Resolution 9, relating to opposition by the General Assembly to any legislation, with or without a windfall profits tax, to accelerate the decontrol of natural gas, filed on February 9, 1983 and found on pages 371 and 372 of the House Journal.

Halvorson of Clayton offered the following amendment H—3157 filed by him:

H—3157

Amend House Concurrent Resolution 9 as follows:

1. Page 1, by striking lines 4 through 6 and inserting in lieu thereof the following:

"*Whereas*, President Reagan is currently involved in negotiations with members of congress, citizens' groups and producer groups on a program for orderly decontrol of natural gas supplies which was begun by President Carter and was designed to decontrol natural gas prices by January 1, 1985; and".

2. Page 1, by striking lines 27 and 28 and inserting in lieu thereof the following: "decontrol policy;".

3. Page 2, line 2 by inserting after the word "legislation" the following: ", such as that offered by Senators Jepsen and Grassley and Representative Tauke of the Iowa congressional delegation,".

4. Page 2, by striking line 3 and inserting in lieu thereof the following:

"1. Give the federal energy regulatory commission more authority to regulate the pass through of natural gas price increases to the consumer by restricting or eliminating anti-consumer take-or-pay,".

Halvorson of Clayton offered the following amendment H—3159, to amendment H—3157, filed by him from the floor and moved its adoption:

H—3159

Amend amendment H—3157 to House Concurrent Resolution 9 by striking lines 2 through 22 and inserting in lieu thereof the following:

"1. Page 1, by striking lines 4 through 6 and inserting in lieu thereof the following:

"Whereas, the president of the United States has considered the acceleration of the decontrol of natural gas prices completely; and

Whereas, President Reagan is currently involved in negotiations with members of congress, citizens' groups and producer groups on a program for decontrol of natural gas supplies which was begun by President Carter and was designed to decontrol natural gas prices by January 1, 1985; and".

Amendment H—3159 was adopted.

On motion by Halvorson of Clayton, amendment H—3157, as amended, was adopted.

Parker of Jasper offered the following amendment H—3150 filed by Parker, et al., and moved its adoption:

H—3150

Amend House Concurrent Resolution 9 as follows:

1. Page 1, by inserting after line 6 the following:

"*Whereas*, the five-member Federal Energy Regulatory Commission is charged with administering the Natural Gas Policy Act which is the basis for the current regulation of the industry; and

Whereas, all of the current members of the commission are from warm weather states, including several of the big energy exporters whose economies are supported by the industry, and whose citizens have not faced winter heating bills of two hundred dollars per month which are projected to rise twenty percent to fifty percent annually depending on the schedule of decontrol of natural gas; and,".

2. Page 2, by inserting after line 17 the following:

"*Be It Further Resolved*, That the Iowa general assembly urges the President of the United States to appoint a commission member from a northeastern or midwestern state to represent those consumers and states who are feeling the economic pinch of escalating winter fuel bills which will continue to rise."

Amendment H—3150 was adopted.

Rosenberg of Story offered the following amendment H—3152 filed by him and moved its adoption:

H—3152

Amend House Concurrent Resolution 9 as follows:

1. Page 1, by striking lines 24 through 28 and inserting in lieu thereof the following: "herbicides;".

2. Page 2, by striking lines 15 through 17.

Amendment H—3152 was adopted.

On motion by Rosenberg of Story, the resolution, as amended, was adopted.

Regular Calendar

House File 214, a bill for an act providing immunity from liability resulting from assistance in an investigation of child abuse, was taken up for consideration.

Brammer 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. 214)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Harbor	Lageschulte

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

HOUSE FILE 215 DEFERRED

Norland of Worth asked and received unanimous consent that House File 215 be deferred and that the bill retain its place on the calendar.

House File 123, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire fighters, persons providing emergency medical services, and penal and correctional facility staff, and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Rosenberg of Story offered the following amendment H–3101 filed by the committee on judiciary and law enforcement and moved its adoption:

H–3101

Amend House File 123 as follows:

1. Page 1, by striking lines 7 through 9 and inserting in lieu thereof the following: "providing emergency medical services, or an employee of a penal or correctional facility, in the".

2. Page 1, by striking lines 14 and 15 and inserting in lieu thereof the following: "services, or an employee of a penal or correctional facility, or who knowingly".

3. Page 1, line 18, by inserting after the word "misdemeanor." the following: "A person providing emergency care or assistance to which section 613.17 applies, shall be deemed to be acting within the scope of that person's lawful duty or authority for the purposes of this section."

Amendment H–3101 was adopted.

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

On the question "Shall the bill pass?" (H.F. 123)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett

Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 1:

Hummel

Absent or not voting, 2:

Harbor Lageschulte

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

SENATE FILE 155 SUBSTITUTED FOR HOUSE FILE 217

Varn of Johnson asked and received unanimous consent to substitute Senate File 155 for House File 217.

Senate File 155, a bill for an act relating to offensive or dangerous weapons by defining as an offensive weapon certain bullets or projectiles and certain mechanical devices constructed and designed so that when attached to a firearm the device silences, muffles or suppresses the sound, by exempting under certain circumstances, a law enforcement officer from another state from the prohibition of section 724.4, by amending the length of time certain

permits to carry weapons are valid, and by requiring the commissioner of public safety to maintain a permanent record of all valid permits to carry weapons and of current permit revocations, and providing penalties, was taken up for consideration.

Varn 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. 155)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Harbor	Lageschulte

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

HOUSE CONCURRENT RESOLUTION 14

By McKean, Osterberg, Knapp, Mullins, Krewson, Van Camp, Torrence, Hughes, Jay, Clark, Hammond, Poncy, Lloyd-Jones, Carl, Zimmerman, Hanson, Fey, Cooper, Chapman, Haverland, Black, Gronstal, Oxley, Branstad, Renaud and Sherzan

Whereas, the state of Iowa has the seventh largest rural road system in the nation and ranks twenty-fifth in land usage area; and

Whereas, the state of Iowa is presently contemplating the abandonment of up to ten thousand miles of underutilized secondary roads; and

Whereas, a significant portion of Iowa's valuable farmland is wasted by a road system that is too large and duplicative; and

Whereas, an improperly maintained and crumbling road system creates safety hazards and increased operational costs for Iowa's motorists; and

Whereas, a large proportion of Iowa's road mileage has outlived its design life and is sorely in need of repair; and

Whereas, many of the state's bridges are structurally deficient or functionally obsolete and need either reconstruction or extensive repair; and

Whereas, the state of Iowa is currently experiencing revenue shortages that preclude expansion of service in other areas; and

Whereas, the state of Iowa will receive additional funds allocated for roads and bridges as a result of the increase in federal motor fuels tax and other user fees; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the state department of transportation is encouraged to use these funds for the repair and maintenance of Iowa's existing roads and bridges and discourages the use of these funds for new roads or for the widening of two lane highways into four lane highways.

Referred to committee on **transportation.**

APPOINTMENT

The Speaker announced the following appointment:

IOWA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
(House File 2357, 69th G.A., 2nd Session)

Representative Florence Buhr — to fill an unexpired term ending June 30, 1983.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 214 Judiciary and Law Enforcement

Relating to the rule of perpetuities.

S.B. 215 Judiciary and Law Enforcement

Permitting or requiring a corporation to indemnify a director, officer, employee, or agent of the corporation for judgments, penalties, fines, settlements, and reasonable expenses actually incurred as a defendant or respondent in an administrative or court proceeding.

SUBCOMMITTEE ASSIGNMENTS

House File 110

State Government: Buhr, Chair; Halvorson of Webster and Krewson.

House File 135

Small Business and Commerce: Lonergan, Chair; Gronstal and Schroeder.

House File 143

State Government: Blanshan, Chair; Pavich and Swearingen.

House File 167

Judiciary and Law Enforcement: Miller, Chair; Brammer and Rosenberg.

House File 185

Labor and Industrial Relations: Groth, Chair; Grandia and Jochum.

House File 197

State Government: Halvorson of Webster, Chair; Carl, Carpenter, Swartz and Van Maanen.

House File 221

Labor and Industrial Relations: Connors, Chair; Brammer and Schnekloth.

House File 229

Small Business and Commerce: Baxter, Chair; Halvorson of Clayton and Skow.

House File 233 (Reassigned)

Local Government: Lloyd-Jones, Chair; Lageschulte, Renaud, Tofte and Torrence.

House File 234

Ways and Means: Osterberg, Chair; Groninga and Schroeder.

House File 238

Natural Resources: Black, Chair; Gruhn and McKean.

House File 240

Transportation: Renaud, Chair; Muhlbauer and Welden.

House File 249

Judiciary and Law Enforcement: Rosenberg, Chair; Clark and Doderer.

House File 251

Judiciary and Law Enforcement: Parker, Chair; Corey and Varn.

House File 252

State Government: Halvorson of Webster, Chair; Carl, Carpenter, Swartz and Van Maanen.

House File 253

Ways and Means: Tabor, Chair; Daggett and Holveck.

House File 255

State Government: Hammond, Chair; De Groot and Gruhn.

House File 256

Ways and Means: Tabor, Chair; Daggett and Holveck.

House File 257

State Government: Pavich, Chair; Hanson and Renaud.

House File 259

Agriculture: Copenhaver, Chair; Halvorson of Webster and Rensink.

House File 260

Judiciary and Law Enforcement: Tabor, Chair; Hammond and Schroeder.

House File 261

Judiciary and Law Enforcement: Knapp, Chair; Haverland and McIntee.

House File 264

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 265

Energy: Osterberg, Chair; Royer and Sullivan.

House File 266

Transportation: Koenigs, Chair; Bennett and Fey.

House File 267

State Government: Doderer, Chair; Gruhn and Krewson.

House File 268

Education: Buhr, Chair; Carpenter and Poncy.

House File 269

Agriculture: Carter, Chair; Blanshan and Van Maanen.

House File 272

Energy: Hughes, Chair; Lonergan and Torrence.

House File 273

Ways and Means: Brammer, Chair; Carpenter and Chiodo.

House File 275

Education: Jay, Chair; Carpenter and Varn.

House File 276

Education: Poncy, Chair; Branstad and Krewson.

House File 280

Education: Ollie, Chair; Carpenter and Shoultz.

House File 281

Judiciary and Law Enforcement: Miller, Chair; Clark and Tabor.

House File 282

Transportation: Renaud, Chair; Pavich and Van Camp.

House File 283

Judiciary and Law Enforcement: McIntee, Chair; Holveck and Paulin.

House File 287

Education: Groth, Chair; Daggett, Jay, Krewson and Ollie.

House File 288

Education: Hughes, Chair; Maulsby and Ollie.

House File 289

Ways and Means: Gronstal, Chair; Carpenter, Connolly, Diemer, Koenigs, Pavich and Schnekloth.

House File 290

Local Government: Spear, Chair; Cooper, Renaud, Renken and Torrence.

House File 292

Judiciary and Law Enforcement: Doderer, Chair; Clark and Schroeder.

House File 293

Local Government: Black, Chair; Lloyd-Jones and Swearingen.

House File 296

Judiciary and Law Enforcement: Chapman, Chair; Brammer and McKean.

House File 298

Judiciary and Law Enforcement: Chapman, Chair; Brammer and McKean.

House File 299

Finance: Connolly, Chair; Branstad and Jochum.

House File 342

Finance: Connolly, Chair; Arnould and Branstad.

Senate Joint Resolution 6

State Government: Swartz, Chair; Halvorson of Webster, Hanson, Pavich and Tofte.

Senate File 53

Judiciary and Law Enforcement: McKean, Chair; Halvorson of Clayton and Rosenberg.

Senate File 76

Judiciary and Law Enforcement: Miller, Chair; Brammer and McIntee.

Senate File 92

State Government: Swartz, Chair; Carpenter, Pavich, Tofte and Woods.

Senate File 96

Judiciary and Law Enforcement: Schroeder, Chair; Paulin and Varn.

Senate File 97

Judiciary and Law Enforcement: Paulin, Chair; Clark and Rosenberg.

Senate File 119

State Government: Chapman, Chair; Blanshan and Rensink.

Senate File 138

Local Government: O'Kane, Chair; Menke and Sherzan.

Senate File 159

Local Government: Buhr, Chair; Grandia and Sherzan.

Senate File 207

Transportation: Harbor, Chair; Koenigs, Pavich, Van Camp and Woods.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 128

State Government: Halvorson of Webster, Chair; Carl, Carpenter, Swartz and Van Maanen.

Study Bill 143

State Government: Lloyd-Jones, Chair; Carpenter and Renaud.

Study Bill 153

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

Study Bill 185

Judiciary and Law Enforcement: Holveck, Chair; Halvorson of Clayton and Miller.

Study Bill 189

Ways and Means: Holveck, Chair; Cochran and Lageschulte.

Study Bill 194

Natural Resources: Groth, Chair; Stueland and Tabor.

Study Bill 197

State Government: Lloyd-Jones, Chair; Carpenter, Gruhn, Hanson and Renaud.

Study Bill 198

Local Government: Lloyd-Jones, Chair; Lageschulte, Renaud, Tofte and Torrence.

Study Bill 199

Local Government: Lloyd-Jones, Chair; O'Kane and Torrence.

Study Bill 200

Education: Groth, Chair; Jåy and Maulsby.

Study Bill 201

Agriculture: Davitt, Chair; Anderson, Gruhn, Handorf and Hughes.

Study Bill 202

Local Government: Lageschulte, Chair; Cooper and Royer.

Study Bill 204

Ways and Means: Osterberg, Chair; Brammer, Daggett, Maulsby and Oxley.

Study Bill 205

Transportation: Miller, Chair; Fogarty and Lageschulte.

Study Bill 206

Transportation: Pavich, Chair; Cooper and Van Maanen.

Study Bill 207

Small Business and Commerce: Swartz, Chair; Diemer and Groninga.

Study Bill 208

Judiciary and Law Enforcement: Tabor, Chair; Corey, Jay and Miller.

Study Bill 209

Education: Zimmerman, Chair; Connolly and Krewson.

Study Bill 210

Natural Resources: Black, Chair; Diemer and Sullivan.

Study Bill 211

State Government: Halvorson of Webster, Chair; Carl, Carpenter, Swartz and Van Maanen.

Study Bill 212

Agriculture: Cochran, Chair; Anderson, Blanshan, De Groot and Fogarty.

Study Bill 213

Agriculture: Cochran, Chair; Anderson, Blanshan, De Groot and Fogarty.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 4, a bill for an act relating to the performance of public service as restitution by offenders not reasonably able to pay all or part of court costs, court-appointed attorney's fees, or the expense of a public defender.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 1983.

Committee Bill (Formerly House File 107), relating to intestate shares when a decedent leaves a surviving spouse or a surviving spouse and issue.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 1983.

Committee Bill (Formerly House File 170), relating to the payment of restitution to certain persons.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 107), relating to the duties and liabilities of persons with respect to public places located within cities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 24, 1983.

Committee Bill (Formerly Study Bill 108), relating to ways condemned by landowners having no access to their property.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 24, 1983.

Committee Bill (Formerly Study Bill 178), to require fiscal notes on bills, joint resolutions, and administrative rules which impose state mandates on political subdivisions of the state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 24, 1983.

AMENDMENTS FILED

H–3158	H.F. 215	Schroeder of Pottawattamie
H–3160	H.F. 120	Senate Amendment
H–3161	S.F. 92	Hughes of Union
H–3162	H.F. 314	Menke of O'Brien Maulsby of Calhoun
H–3163	H.F. 312	Schroeder of Pottawattamie
H–3164	H.F. 215	Hummel of Benton
H–3165	H.F. 215	Hummel of Benton
H–3166	H.F. 343	Woods of Polk
H–3167	S.F. 92	Miller of Woodbury
H–3168	H.F. 80	Spear of Lee

On motion by Norland of Worth, the House adjourned at 11:58 a.m., until 10:00 a.m., Tuesday, March 1, 1983.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day—Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 1, 1983

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

Prayer was offered by Norman Bales, Central Church of Christ, Cedar Rapids.

The Journal of Friday, February 25, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton; Oxley of Linn on request of Cochran of Webster; Fey of Scott on request of Arnould 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 February 24, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 15, a bill for an act relating to the provision of health, welfare, and social services under the county health center tax levy.

Also: That the Senate has on February 24, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 176, a bill for an act relating to the allocation of funds to regional libraries.

Also: That the Senate has on February 24, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 288, a bill for an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Regular Calendar

Senate File 195, a bill for an act to enact the midwest interstate low-level radioactive waste compact, was taken up for consideration.

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?" (S.F. 195)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr, Speaker	

The nays were, none.

Absent or not voting, 5:

Fey	Harbor	Haverland	Miller
Oxley			

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:

Mullins of Kossuth, for the remainder of the day, on request of Stromer of Hancock.

House File 108, a bill for an act prohibiting county and city zoning practices and restrictive covenants which exclude or discriminate against community-based residential homes providing room and board and other services for developmentally disabled persons, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H–3138 filed by the committee on local government and moved its adoption:

H–3138

Amend House File 108 as follows:

1. Page 1, by inserting after line 23 the following:

"(4) Attributable to a mental or nervous disorder."

2. Page 1, by striking lines 26 and 27 and inserting in lieu thereof the following: "services, and supervision in a family environment exclusively for not more than eight developmentally disabled persons and any necessary support personnel."

3. Page 2, line 13, by inserting after the numbers "135.16." the following: "Section 135C.23, subsection 2 shall apply to all residents of a family home."

4. Page 3, by inserting after line 9 the following:

"(4) Attributable to a mental or nervous disorder."

5. Page 3, by striking lines 12 and 13 and inserting in lieu thereof the following: "services, and supervision in a family environment exclusively for not more than eight developmentally disabled persons and any necessary support personnel."

6. Page 3, line 32, by inserting after the numbers "135.16." the following: "Section 135C.23, subsection 2 shall apply to all residents of a family home."

7. Page 5, by striking lines 16 through 18 and inserting in lieu thereof the words "information about any residents of the homes."

Amendment H–3138 was adopted.

Connors of Polk offered the following amendment H—3139 filed by him and moved its adoption:

H—3139

Amend House File 108 as follows:
1. Page 1, line 23, by striking the numerals and word "(2) or (3)" and inserting in lieu thereof the following: "(1) or (2)".
2. Page 3, line 9, by striking the numerals and word "(2) or (3)" and inserting in lieu thereof the following: "(1) or (2)".

Amendment H—3139 was adopted.

Jochum of Dubuque asked and received unanimous consent to suspend Rule 31.8 for the consideration of the following amendment H—3169, filed by him from the floor and moved its adoption:

H—3169

Amend House File 108 as follows:
1. Page 1, by striking line 25 and inserting in lieu thereof the following: "which is licensed as a residential care facility under chapter 135C or as a child foster care facility under chapter 237 to provide room and board, personal care, habilitation".
2. Page 1, line 27, by inserting after the word "persons." the following: "However, family home does not mean an individual foster family home licensed under chapter 237."
3. Page 2, by striking lines 10 through 13 and inserting in lieu thereof the following: "However a new family home shall not be located within one-fourth of a mile from another family home."
4. Page 3, by striking line 11 and inserting in lieu thereof the following: "which is licensed as a residential care facility under chapter 135C or as a child foster care facility under chapter 237 to provide room and board, personal care, habilitation".
5. Page 3, line 13, by inserting after the word "persons," the following: "However, family home does not mean an individual foster care family home licensed under chapter 237."
6. Page 3, by striking lines 29 through 32 and

inserting in lieu thereof the words "exception, or variance. However, a new family home shall not be located within one-fourth of a mile from another family home."

7. By striking page 4, line 6 through page 5, line 18.

Amendment H—3169 was adopted.

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

On the question "Shall the bill pass?" (H.F. 108)

The ayes were, 89:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Parker	Pavich	Peick	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Sherzan	Shoultz
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 7:

Maulsby	Paulin	Pellett	Schnekloth
Schroeder	Stueland	Welden	

Absent or not voting, 4:

Fey	Harbor	Mullins	Oxley

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

HOUSE FILE 215 DEFERRED

Norland of Worth asked and received unanimous consent that House File 215 be deferred and that the bill retain its place on the calendar.

Hanson of Delaware in the chair at 10:48 a.m.

House File 19, a bill for an act relating to the reduction of sentences for inmates convicted of crime for which there is a mandatory minimum sentence, with report of committee recommending amendment and passage was taken up for consideration.

McKean of Jones offered the following amendment H–3103 filed by the committee on judiciary and law enforcement and moved its adoption:

H–3103

Amend House File 19 as follows:

1. Page 1, line 12, by inserting after the figure "906.5" the following: "and good time earned and not forfeited may accrue during a mandatory minimum sentence, but does not apply to reduce the mandatory minimum sentence, nor does it apply to reduce the sentence to a length less than the mandatory minimum term allowing an inmate's sentence to expire before the mandatory minimum term has been served. An inmate is not eligible for release until the full mandatory minimum term has been served."

Amendment H–3103 was adopted.

Spear of Lee asked and received unanimous consent to defer action on amendment H–3146.

Spear of Lee offered the following amendment H–3154 filed by him and moved its adoption:

H—3154

Amend House File 19 as follows:

1. Page 2, line 2, by striking the word "not".

2. Page 2, line 4, by inserting after the word "section" the words ", except that the special reduction does not apply to reduce the mandatory minimum sentence, nor does it apply to reduce the sentence to a length less than the mandatory minimum term allowing an inmate's sentence to expire before the mandatory minimum term has been served. An inmate is not eligible for release until the full mandatory minimum term has been served".

Amendment H—3154 was adopted.

Spear of Lee offered the following amendment H—3146 filed by him:

H—3146

Amend House File 19 as follows:

1. Page 1, by striking lines 14 and 15 and inserting in lieu thereof the following: "received into the institution~~, but not while in solitary confinement for violation of the rules of the institution~~;".

Speaker Avenson in the chair at 11:12 a.m.

Spear of Lee moved the adoption of amendment H—3146.

A non-record roll call was requested.

The ayes were 18, nays 76.

Amendment H—3146 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. 19)

The ayes were, 82:

Anderson	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Buhr

Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Hermann	Hoffmann-Bright	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Norland	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 14:

Arnould	Chapman	Doderer	Gronstal
Hammond	Haverland	Holveck	Krewson
Lloyd-Jones	O'Kane	Ollie	Osterberg
Sherzan	Shoultz		

Absent or not voting, 4:

Fey	Harbor	Mullins	Oxley

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 48)

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the motion to reconsider House File 48, a bill for an act authorizing counties to contract with registered or certified public accountants to audit their financial records and transactions, filed by him on February 24, 1983.

INTRODUCTION OF BILL

House File 344, by committee on education, a bill for an act relating to the requirement that school districts maintain twelve

grades and to provide for tuition payments by those districts not maintaining twelve grades.

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

SENATE MESSAGES CONSIDERED

Senate File 15, by Doyle, a bill for an act relating to the provision of health, welfare, and social services under the county health center tax levy.

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

Senate File 56, by Priebe, a bill for an act relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property.

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

Senate File 176, by Hutchins, Slater, Gallagher, Tieden, Briles, Hall, Coleman, Nystrom, Miller of Des Moines, Hultman, Goodwin, Gratias, Wells, Gettings and Priebe, a bill for an act relating to the allocation of funds to regional libraries.

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

Senate File 288, by committee on ways and means, a bill for an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

Read first time and **passed on file.**

Norland of Worth moved that the House recess until 5:00 p.m.

A non-record roll call was requested.

The ayes were 46, nays 6.

The motion prevailed and the House recessed at 11:58 a.m., until 5:00 p.m.

The House reconvened, Speaker Avenson in the chair.

HOUSE CONCURRENT RESOLUTION 15
By Norland and Stromer

Whereas, the Seventieth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held on Thursday, April 21, 1983; and

Whereas, the Pioneer Lawmakers request the opportunity to meet formally with the General Assembly, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly meet in joint session in the House chamber on Thursday, April 21, 1983, at 1:30 p.m. and that the Pioneer Lawmakers be invited to attend and present a program on that occasion and that the Speaker of the House of Representatives and the President of the Senate be designated to deliver the invitation to them.

Laid over under Rule 25.

MOTIONS TO RECONSIDER
(House File 140)

I move to reconsider the vote by which House File 140 passed the House on February 25, 1983.

STROMER of Hancock

(House File 140)

I move to reconsider the vote by which House File 140 passed the House on February 25, 1983.

SCHROEDER of Pottawattamie

SPONSOR ADDED
(House File 303)

Hermann of Scott requested to be added as a sponsor of House File 303.

SPONSOR WITHDRAWN
(House Concurrent Resolution 14)

Knapp of Dubuque requested to be withdrawn as a sponsor of House Concurrent Resolution 14.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 25, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 132, an act relating to the costs of certain services provided by an area education agency and requested by a local board of education.

House File 133, an act relating to the consolidation of certain special education categories.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

DEPARTMENT OF SOCIAL SERVICES

Report on the Coordinated Manpower Services Pilot Projects, pursuant to Chapter 1260, Acts of the Sixty-ninth General Assembly, Second Session.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1983-1	The Christian Home Association, Council Bluffs — one-hundredth anniversary.
1983-2	William Bird, Independence — one-hundredth birthday.

JOSEPH O'HERN
Chief Clerk of 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 119, a bill for an act to revise the duties of assessors relative to the registration and licensing of mobile homes.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1983.

House File 342, a bill for an act relating to establishing an ethanol production incentive fund for purposes of providing a production incentive to ethanol producers in the state on the first one hundred thousand gallons of eligible ethanol produced each year, providing a maximum annual appropriation of five hundred thousand dollars, and providing penalties for false claims filed for production incentives.

Fiscal Note is required.

Committee Recommendation: Pursuant to House Rule 33, House File 342 was rereferred to Ways and Means March 1, 1983, to redefine the term "Ethanol".

AMENDMENTS FILED

H–3170	H.F. 312	Spear of Lee
H–3171	H.F. 176	Spear of Lee
H–3172	H.F. 312	Spear of Lee
H–3173	H.F. 312	Spear of Lee
H–3174	H.F. 299	Doderer of Johnson
H–3175	H.F. 312	Lageschulte of Bremer Schnekloth of Scott
H–3176	H.F. 144	Sturgeon of Woodbury
H–3177	H.F. 312	Schroeder of Pottawattamie
Renken of Grundy		Menke of O'Brien
Swearingen of Keokuk		McIntee of Black Hawk
Lageschulte of Bremer		Daggett of Taylor
Bennett of Ida		Hoffmann-Bright of Muscatine
Stueland of Clinton		Maulsby of Calhoun
DeGroot of Lyon		Rensink of Sioux
Diemer of Black Hawk		Van Maanen of Mahaska

On motion by Norland of Worth, the House was adjourned at 5:08 p.m., until 9:00 a.m., Wednesday, March 2, 1983.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day—Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 2, 1983

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

Prayer was offered by Reverend Zane Buxton, pastor of the Westminster United Presbyterian Church, Des Moines.

The Journal of Tuesday, March 1, 1983 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Branstad of Winnebago, a resolution from the Kossuth County Board of Supervisors favoring adoption of a system of state financing of the court fund and institution fund.

By Osterberg of Linn, from thirty-three constituents opposing pari-mutuel betting in Iowa.

INTRODUCTION OF BILLS

House File 345, By Tabor, a bill for an act relating to the distribution of certain material by means of cable television and providing a penalty.

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

House File 346, by Buhr, Sherzan, Shoultz, Holveck, Parker, Hughes, Hammond, Sturgeon and Black, a bill for an act to eliminate the requirement that an absentee ballot be notarized.

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

House File 347, by Carl, a bill for an act relating to the reasonableness of the cost of permanent soil and water conservation practices constructed under administrative order with public cost-sharing funds.

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

House File 348, by Spear, a bill for an act to provide for early retirement under the Iowa public employees' retirement system without a reduction in benefits for certain members who have more than thirty years of membership service.

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

House File 349, by Hanson and Jay, a bill for an act to remove the two hundred and fifty thousand dollar ceiling on business done by a class 2 grain dealer.

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

House File 350, by Carl, a bill for an act relating to business tax deductions for employer-paid child day care expenses.

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

House File 351, by Carl, a bill for an act setting aside ten percent of state procurement contracts to be awarded to small businesses and including special set-aside provisions for businesses owned or operated by socially or economically disadvantaged persons.

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

House File 352, by Shoultz, a bill for an act to establish teacher centers and to provide for their governance, functions and funding.

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

House File 353, by Carl, a bill for an act relating to the rights of foster parents concerning a termination of parental rights hearing involving their foster child.

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

House File 354, by Schroeder, a bill for an act relating to public access to tape recordings of radio and telephone transmissions of public safety agencies.

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

House File 355, by Poncy, a bill for an act to legalize the proceedings of the board of directors of the Indian Hills Community College (Merged Area XV) in the counties of Appanoose, Davis, Decatur, Henry, Iowa, Jefferson, Keokuk, Lee, Lucas, Mahaska, Marion, Monroe, Poweshiek, Van Buren, Wapello, Washington and Wayne and the Wapello county commissioner of elections in connection with an election authorizing the levy of a tax and declaring the validity of said election and the validity of taxes levied pursuant thereto.

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

House File 356, by Miller, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

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

House File 357, by Shoultz, Buhr, Carpenter, Doderer, Ollie, Haverland, Brammer, Groninga, Van Gerpen and McIntee, a bill for an act to provide additional allowable growth under the Iowa school foundation plan for returning dropouts.

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

House File 358, by committee on local government, a bill for an act relating to the membership of a county enterprise commission.

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

House File 359, by committee on local government, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities.

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

House File 360, by committee on local government, a bill for an

act increasing the penalties for removal or defacing of traffic control devices.

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

House File 361, by committee on judiciary and law enforcement, a bill for an act relating to the payment of restitution to certain persons.

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

House File 362, by committee on judiciary and law enforcement, a bill for an act relating to intestate shares when a decedent leaves a surviving spouse or a surviving spouse and issue.

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

House File 363, by committee on local government, a bill for an act to require fiscal notes on bills, joint resolutions, and administrative rules which impose state mandates on political subdivisions of the state.

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

House File 364, by committee on local government, a bill for an act relating to ways condemned by landowners having no access to their property.

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

House File 365, by Royer, a bill for an act relating to tort claims against governmental entities.

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

House File 366, by Lloyd-Jones, Poncy, Doderer and Hammond, a bill for an act requiring director districts of certain school districts, area education agencies, and merged areas to be redistricted following each federal decennial census.

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

House File 367, by Corey, a bill for an act providing an employer tax credit for each new employee under Iowa's unemployment law for calendar years 1983 and 1984.

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

House File 368, by Fogarty, a bill for an act relating to a temporary property tax exemption for certain buildings and structures located on farms and used in livestock and poultry production.

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

House File 369, by Baxter and Spear, a bill for an act relating to a refund of the state sales, services, and use tax paid by a manufacturer on the purchase of goods, wares, or merchandise used in the manufacture of tangible personal property donated to a nonprofit charitable organization.

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

House File 370, by Running, a bill for an act to provide that a state-owned building or structure comply with the city building code within a city's jurisdiction.

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

House File 371, by Diemer, Van Gerpen and McIntee, a bill for an act exempting from the sales, services, and use tax the sale of certain foods through vending machines.

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

House File 372, by Groninga, a bill for an act relating to the state building code and the construction standards for roofs on public buildings.

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

House File 373, by Connolly, a bill for an act to allow a person who is an instructor at a proprietary school of a profession regulated under chapter 147 to serve on the examining board of that profession.

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

House File 374, by Skow and Halvorson of Clayton, a bill for an act relating to the sale of title insurance for real property.

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

House File 375, by Running, a bill for an act relating to the care review committees of health care facilities.

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

House File 376, by O'Kane, Arnould and Sturgeon, a bill for an act requiring mandatory liability insurance coverage for motor vehicles and providing penalties, to take effect December 1, 1983.

Read first time and referred to committee on **small business and 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 25, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 14, a bill for an act to exempt the state, its agencies, and political subdivisions of the state from the tax on motor fuel where the motor fuel is used for a public purpose and delivered into storage tanks owned or used exclusively by the state, its agencies, or a political subdivision of the state.

Also: That the Senate has on February 25, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 73, a bill for an act requiring the Iowa beer and liquor control department to hold a local public hearing when a state liquor store is established or discontinued.

Also: That the Senate has on February 25, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 208, a bill for an act authorizing the issuance of industrial revenue bonds under chapter 419 for museums, libraries, and tourist information centers.

Also: That the Senate has on February 25, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 267, a bill for an act relating to the rule-making authority of the water, air and waste management commission and providing an effective date.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:25 a.m., until 4:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

The House stood at ease at 4:41 p.m., until the fall of the gavel.

The House resumed session at 6:02 p.m., Speaker Avenson in the chair.

Norland of Worth moved that the House adjourn at 6:03 p.m., until 9:00 a.m., Thursday, March 3, 1983.

A non-record roll call was requested.

The ayes were 40, nays 4.

The motion prevailed and the House was adjourned.

HOUSE CONCURRENT RESOLUTION 16

By Shoultz, Peick, Pavich, Lonergan, Welden, O'Kane, Connolly, Oxley, Tofte, Chapman, Spear, Knapp, Krewson, Halvorson of Webster and Tabor

Be It Resolved by the House of Representatives, the Senate Concurring, That the general assembly of the state of Iowa designates the American library association's symbol for libraries as the official symbol of the state of Iowa for Iowa libraries.

Laid over under Rule 25.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Tuesday, March 1, 1983. Had I been present, I would have voted "aye" on

House File 108 and amendments thereto and "nay" on House File 19 and amendments thereto.

MULLINS of Kossuth

I was necessarily absent from the House chamber on Tuesday, March 1, 1983. Had I been present, I would have voted "aye" on House Files 19 and 108 and Senate File 195.

FEY of Scott

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 216 Judiciary and Law Enforcement

Relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

S.B. 217 Human Resources

Relating to the provision of child care by prohibiting certain persons from providing the child care and by expanding the statutory injunctive authority to group day care homes, and providing a penalty.

S.B. 218 Energy

Relating to used motor oil recycling, requiring certain collection facilities, the posting of notices, and providing a penalty.

S.B. 219 Energy

Relating to differences between rules of the water, air and waste management commission regulating hazardous waste and federal rules and regulations.

S.B. 220 Natural Resources

To create a public outdoor recreation and resources program, imposing a tax and creating an advisory council.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 42, a bill for an act relating to the residence qualification for election to the office of drainage district trustee.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3178** March 2, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 96, a bill for an act repealing Iowa's guest statute.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1983.

Senate File 136, a bill for an act to make nonsubstantive corrections to the Code.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3179** March 1, 1983.

Committee Bill (Formerly Study Bill 142), to allow setoffs against state income tax refunds or rebates any claims to recoup public assistance overpayments by the department of social services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 1983.

Committee Bill (Formerly House File 292), relating to dissolution and annulment forms and records.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 1983.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Committee Bill (Formerly House File 32), permitting an employee to choose the care given under workers' compensation medical benefits.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 1, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 103), relating to the financing of public projects through bonds, warrants, special assessments, and other obligations, by amending procedures for the issuance of bonds, warrants, special assessments, and other obligations, by providing for the registration of bonds or other obligations, by authorizing interim financing of projects, and making corresponding amendments to the Code.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 1983.

Committee Bill (Formerly Study Bill 105), relating to veteran preference in public employment and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate File 119, a bill for an act relating to the shared use of facilities by public agencies.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1983.

AMENDMENTS FILED

H–3178	H.F. 42	Committee on Agriculture
H–3179	S.F. 136	Committee on Judiciary and Law Enforcement
H–3180	H.F. 116	Diemer of Black Hawk
H–3181	H.F. 312	Schroeder of Pottawattamie McIntee of Black Hawk

H–3182	H.F. 313	Mullins of Kossuth
		Blanshan of Greene
		Krewson of Polk
		Lageschulte of Bremer
		Carpenter of Polk
		Hammond of Story
		Rosenberg of Story
H–3183	H.F. 312	Schroeder of Pottawattamie
		McIntee of Black Hawk
		Renken of Grundy
H–3184	H.F. 312	Sturgeon of Woodbury
H–3185	H.F. 312	Gronstal of Pottawattamie
H–3186	H.F. 312	De Groot of Lyon
H–3187	H.F. 312	Osterberg of Linn
McKean of Jones		Parker of Jasper
Gronstal of Pottawattamie		Chiodo of Polk
Skow of Guthrie		Holveck of Polk
		McIntee of Black Hawk
H–3188	H.F. 312	Hanson of Delaware
H–3189	H.F. 312	Diemer of Black Hawk
H–3190	H.F. 312	Schroeder of Pottawattamie
		Harbor of Mills
H–3191	H.F. 312	Schroeder of Pottawattamie
		Harbor of Mills
H–3192	H.F. 312	McIntee of Black Hawk
		Schroeder of Pottawattamie
		Renken of Grundy
		De Groot of Lyon
H–3193	H.F. 312	Schroeder of Pottawattamie
H–3194	H.F. 312	Chiodo of Polk
		Schroeder of Pottawattamie
H–3195	H.F. 312	Doderer of Johnson
		Carpenter of Polk
H–3196	H.F. 312	Chiodo of Polk
		Schroeder of Pottawattamie
H–3197	H.F. 312	Hanson of Delaware
H–3198	H.F. 312	McIntee of Black Hawk
		Van Camp of Scott
		Renken of Grundy
H–3199	H.F. 312	Schroeder of Pottawattamie

H—3200	H.F. 312	Chiodo of Polk Parker of Jasper Gronstal of Pottawattamie Holveck of Polk Sturgeon of Woodbury
H—3201	H.F. 312	Davitt of Warren Cochran of Webster Haverland of Polk

On previous motion by Norland of Worth, the House was adjourned at 6:03 p.m., until 9:00 a.m., Thursday, March 3, 1983.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day—Thirty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 3, 1983

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

Prayer was offered by the Reverend Jerry Springston, pastor of the First Baptist Church, Charles City.

The Journal of Wednesday, March 2, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Alan Vasher, Ida Grove.

PETITIONS FILED

The following petitions were received and placed on file:

By Corey of Louisa, from forty-six constituents of the 55th District opposing House Study Bill 105 relating to veteran preference for public employment.

By Rensink of Sioux, from one hundred and seven constituents of the 6th District, opposing pari-mutuel betting in the state of Iowa.

By Branstad of Winnebago, a resolution from the United Methodist Church, Forest City, opposing the legalization of pari-mutuel betting and against extending gambling in any form.

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 1, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 223, a bill for an act increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program.

Also: That the Senate has on March 1, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 294, a bill for an act relating to the use of a signature facsimile by certain persons.

Also: That the Senate has on March 1, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 295, a bill for an act providing that the chairpersons and ranking minority party members or their designated committee members of the house and senate finance committees shall be members of the legislative fiscal committee.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:11 a.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

CONSIDERATION OF BILLS
Regular Calendar

House File 312, a bill for an act relating to public utilities and providing civil penalties, was taken up for consideration.

Stromer of Hancock moved that House File 312 be referred to the committee on small business and commerce.

The House stood at ease at 3:08 p.m., until the fall of the gavel.

The House resumed session and consideration of the motion to refer House File 312 to committee at 4:06 p.m., Speaker Avenson in the chair.

On the motion to refer House File 312 to the committee on small business and commerce, roll call was requested by Chiodo of Polk and Schroeder of Pottawattamie.

On the question "Shall House File 312 be referred to the committee on small business and commerce?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Van Camp
Van Maanen	Welden		

The nays were, 58:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 4:

Baxter	Carter	Chapman	Torrence

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Torrence of Muscatine, for the remainder of the day, on request of Bennett of Ida.

Schroeder of Pottawattamie offered the following amendment H–3183 filed by Schroeder, et al., and moved its adoption:

H–3183

1 Amend House File 312 as follows:
2 1. Page 2, by inserting after line 10 the

following:

"Sec. . Section 19A.3, subsection 5, Code 1983, is amended to read as follows:

5. All employees under the supervision of the attorney general or assistant attorneys general other than the consumer advocate's staff, and all employees under the supervision of the appellate defender or assistant appellate defenders."

2. Page 27, by striking lines 18 through 21 and inserting in lieu thereof the following: "The office space and".

3. By renumbering as necessary.

Amendment H—3183 was adopted.

De Groot of Lyon offered the following amendment H—3186 filed by him:

H—3186

Amend House File 312 as follows:

1. Page 2, by inserting after line 10 the following:

"Sec. . Section 422.47, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION.

a. A consumer or user of gas, electricity, water, or communication service may apply to the director for a refund of a certain amount of tax imposed under this division or under chapter 423 under the following conditions:

(1) The consumer or user is a low income individual whose household income, as defined in section 425.17, is within the schedule provided in section 425.23, subsection 1, paragraph a, or is an individual who is totally disabled, as defined in section 425.17.

(2) The claim is filed on forms provided by the department and is filed within one year of the date the tax is paid.

b. The amount of the refund shall be as follows:

(1) If the billing period ends in the fiscal year beginning July 1, 1983, one-fourth of the tax paid.

(2) If the billing period ends in the fiscal year beginning July 1, 1984, two-fourths of the tax paid.

(3) If the billing period ends in the fiscal year beginning July 1, 1985, three-fourths of the tax paid.

(4) If the billing period ends in any fiscal year beginning on or after July 1, 1986, the full amount of the tax paid.

c. The forms provided by the department for

claiming this refund may provide, but is not limited to, that verification of the time when any billing period ends, the amount of tax paid, information similar to that required under sections 425.16 through 425.39 and other information deemed necessary by the director. If the department is satisfied that the conditions of this subsection have been complied with and the purchaser is entitled to the refund, the appropriate amount shall be refunded."

2. By numbering, renumbering and correcting internal references as necessary.

Blanshan of Greene rose on a point of order that amendment H—3186 was not germane.

The Speaker ruled the point well taken and amendment H—3186 not germane.

De Groot of Lyon moved that the rules be suspended to consider amendment H—3186.

Roll call was requested by De Groot of Lyon and Bennett of Ida.

On the question "Shall the rules be suspended to consider amendment H—3186?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Van Camp
Van Gerpen	Van Maanen		

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay

Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 3:

Chapman	Torrence	Welden

The motion lost.

Schroeder of Pottawattamie offered the following amendment H–3199 filed by him:

H–3199

Amend House File 312 as follows:
1. Page 2, by inserting after line 10 the following:
"Sec. . Section 422.45, Code 1983, is amended by adding the following new subsection:
NEW SUBSECTION. The gross receipts from the sale, furnishing, or service to residential customers of gas, electricity, water, heat, and communication service."
2. By renumbering and correcting internal references as necessary.

Chiodo of Polk rose on a point of order that amendment H–3199 was not germane.

The Speaker ruled the point well taken and amendment H–3199 not germane.

Chiodo of Polk offered the following amendment H–3196 filed by him and Schroeder of Pottawattamie:

H–3196

Amend House File 312 as follows:
1. Page 2, line 33, by inserting after the word "commission" the following: "and shall be exempt from chapter 19A. Assistants to the general counsel shall be subject to chapter 19A".

2. Page 3, line 3, by inserting after the word "commission." the following: "The general counsel shall also represent the grain warehouse division in all administrative proceedings before the commission brought pursuant to chapters 542, 542A, and 543."

Doderer of Johnson offered the following amendment H—3207, to amendment H—3196, filed from the floor by Doderer, Chiodo, Schroeder and Branstad and moved its adoption:

H—3207

Amend amendment H—3196 to page 2 of House File 312 as follows:
1. By inserting after line 1, the following:
" . By striking page 1, line 29 through page 2, line 4."

Amendment H—3207 was adopted.

On motion by Chiodo of Polk, amendment H—3196, as amended, was adopted.

Spear of Lee offered the following amendment H—3172 filed by him and moved its adoption:

H—3172

Amend House File 312 as follows:
1. Page 2, line 33, by inserting after the word "counsel" the words "or assistant to the general counsel".

Amendment H—3172 was adopted.

Spear of Lee offered the following amendment H—3170 filed by him:

H—3170

Amend House File 312 as follows:
1. Page 3, line 10, by inserting after the word "fund" the following: "other than the Iowa election campaign fund and the presidential election campaign fund".
2. Page 6, line 22, by inserting after the word "fund" the following: "other than the Iowa election campaign fund and the presidential election campaign fund".

Spear of Lee offered the following amendment H—3210, to amendment H—3170, filed by him from the floor and moved its adoption:

H—3210

Amend the Spear amendment H—3170, to House File 312 as follows:

1. Page 1, line 3, by inserting after the word "than" the following: "through the income tax checkoff for contributions to".

2. Page 1, line 7, by inserting after the word "than" the following: "through the income tax checkoff for contributions to".

Amendment H—3210 was adopted.

On motion by Spear of Lee, amendment H—3170, as amended, was adopted.

Spear of Lee offered the following amendment H—3173 filed by him and moved its adoption:

H—3173

Amend House File 312 as follows:

1. Page 3, line 11, by striking the words "an elective" and inserting in lieu thereof the words "a political".

Amendment H—3173 was adopted.

McIntee of Black Hawk asked and received unanimous consent to temporarily defer action on amendment H—3198.

Sturgeon of Woodbury offered the following amendment H—3184 filed by him and moved its adoption:

H—3184

Amend House File 312 as follows:

1. Page 5, line 23, by striking the number "1987" and inserting in lieu thereof the number "1985".

2. Page 27, line 12, by inserting after the number "1983" the following: "and the consumer advocate's term shall expire on June 30, 1985".

3. Page 27, line 14, by adding after the word "advocate" the following: "to serve the remaining unexpired term".

Amendment H—3184 was adopted.

Doderer of Johnson offered the following amendment H—3195 filed by her and Carpenter of Polk and moved its adoption:

H—3195

Amend House File 312 as follows:

1. Page 7, by inserting after line 20 the following:

"In establishing salaries and benefits for employees the consumer advocate shall provide for an affirmative action plan which shall be based upon guidelines provided by the Iowa state civil rights commission. In addition, when establishing salaries and benefits the consumer advocate shall not discriminate in the employment or pay between employees on the basis of gender by paying wages to employees at a rate less than the rate at which wages are paid to employees of the opposite gender for work of comparable worth. As used in this section "comparable worth" means the value of work as measured by the composite of the skill, effort, responsibility, and working conditions normally required in the performance of work.

The consumer advocate shall make a report to the legislative council which shall contain a copy of the affirmative action plan adopted and details regarding the manner in which compliance is made for establishing salaries and benefits based on comparable worth. The report shall be made to the legislative council as soon as possible after the effective date of this Act but not later than August 1, 1983, unless the legislative council shall extend the date for making the report."

Amendment H—3195 was adopted.

Connors of Polk in the chair at 4:50 p.m.

Chiodo of Polk offered the following amendment H—3200 filed by Chiodo, et al. :

H—3200

Amend House File 312 as follows:

1. Page 7, line 24, by inserting after the word "consumers" the following: "of investor-owned utilities".

2. Page 7, line 28, by inserting after the word "consumers" the following: "of investor-owned utilities".

3. Page 7, line 34, by inserting after the word "consumers" the following: "of investor-owned utilities".

4. Page 8, line 1, by inserting after the word "consumers" the following: "of investor-owned utilities".

5. Page 14, line 9, by striking the word "shall" and inserting in lieu thereof the word "may".

6. Page 15, line 10, by striking the word "a" and inserting in lieu thereof the words "an investor-owned".

7. Page 19, by inserting after line 3 the following:

"4. Nothing in this section shall apply to a rural electric cooperative utility."

8. Page 24, line 18, by inserting after the word "capacity" the following: ", where cost effective".

9. Page 25, line 17, by inserting after the word "to" the following: "a municipal utility, a joint municipal power agency, or an electric generation and transmission cooperative, or to".

10. Page 27, line 35, by inserting after the word "Act." the following: "This section shall not apply to a municipal utility or to a rural electric cooperative."

Rosenberg of Story offered the following amendment H—3202, to amendment H—3200, filed by him from the floor and moved its adoption:

H—3202

Amend amendment H—3200 to page 7 of House File 312 as follows:

1. By striking lines 2 through 13.

Amendment H—3202 was adopted.

Chiodo of Polk offered the following amendment H—3211, to amendment H—3200, filed by him from the floor and moved its adoption:

H—3211

Amend amendment H—3200 to page 7 of House File 312 as follows:

1. Page 1, line 24, by striking the word "capacity" and inserting in lieu thereof the word "agreements".

Amendment H—3211 was adopted.

Schroeder of Pottawattamie offered amendment H—3212, to amendment H—3200, filed by him from the floor and requested division as follows:

H—3212

Amend amendment H—3200 to page 7 of House File 312 as follows:

H—3212A

1. By striking lines 25 through 28.

H—3212B

2. By striking lines 29 through 32.

H—3212C

3. By inserting after line 28 the following:
" . Page 27, by striking lines 25 through 35."

On motion by Schroeder of Pottawattamie, amendment H—3212A lost.

On motion by Schroeder of Pottawattamie, amendment H—3212B lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3212C.

Speaker Avenson in the chair at 5:20 p.m.

Division of amendment H—3200 was requested as follows: Lines 2 through 18 and lines 23 through 32, amendment H—3200A; lines 19 through 22, amendment H—3200B.

On motion by Chiodo of Polk, amendment H—3200B was adopted.

Chiodo of Polk moved the adoption of amendment H—3200A, as amended.

Roll call was requested by Chiodo of Polk and Arnould of Scott.

Rule 76 was invoked.

On the question "Shall amendment H—3200A, as amended, be adopted?"

The ayes were, 82:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carter	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Poncy	Renaud	Renken	Rensink
Rosenberg	Running	Schnekloth	Sherzan
Shoultz	Skow	Spear	Stueland
Sturgeon	Sullivan	Swartz	Tabor
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 16:

Brammer	Carpenter	Corey	Doderer
Grandia	Hanson	Harbor	McIntee
Pellett	Royer	Schroeder	Stromer
Swearingen	Tofte	Van Camp	Welden

Absent or not voting, 2:

Chapman	Torrence

Amendment H—3200A, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chapman of Linn, for the remainder of the day, on request of Sturgeon of Woodbury.

McIntee of Black Hawk offered the following amendment H–3198 filed by McIntee, et al., and moved its adoption:

H–3198

Amend House File 312 as follows:

1. By striking page 5, line 20 through page 6, line 7, and inserting in lieu thereof the following:

"Sec. . Section 475.1, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

475.1 ELECTION–TERM. Commencing with the general election held in 1986, a consumer advocate shall be elected at the general election, as defined in section 39.3, pursuant to election procedures for election of members of the general assembly. The consumer advocate elected shall serve a term of four years and the term shall commence as provided in section 39.8.

Sec. . Section 475.2, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

475.2 VACANCY. A vacancy for the office of consumer advocate shall be filled by appointment by the attorney general subject to approval by two-thirds of the members of the senate until the next general election when a new consumer advocate shall be elected to fill the unexpired period of the term. Appointments made while the general assembly is not in session shall be valid until the senate votes on the appointment and thereafter if so approved by the senate."

2. Page 6, line 14, by striking the word "acting" and inserting in lieu thereof the words "~~acting~~ election".

3. Page 6, by striking lines 15 through 33 and inserting in lieu thereof the following:

"Sec. . Section 475.5, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

475.5 REMOVAL. Chapter 66 shall apply for the removal of the consumer advocate."

4. Page 27, by inserting after line 8 the following:

"Sec. . Section 475.4, Code 1983, is repealed."

5. Page 27, by striking lines 9 and 10 and inserting in lieu thereof the following:

"Sec. . In order to implement sections amending chapter 475 under this Act, the office of consumer advocate is created effective July 1, 1983, and the

commerce counsel appointed by the Iowa state".

6. Page 27, by striking lines 12 through 15 and inserting in lieu thereof the following: "the consumer advocate commencing July 1, 1983. The term of the consumer advocate who was appointed as commerce counsel

Page 2

by the Iowa state commerce commission in 1983 and approved by the senate, expires upon the commencement of the term of the consumer advocate elected in 1986. If a vacancy occurs in the office of consumer advocate prior to the first election of the consumer advocate in 1986, the attorney general shall appoint the consumer advocate subject to section 475.2 except that the consumer advocate so appointed and approved shall serve until the commencement of the term of the consumer advocate elected in 1986. The commerce counsel's".

7. Page 27, line 18, by striking the following: "subsection 5,".

8. By renumbering sections and internal references as necessary.

Amendment H—3198 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien, for a portion of the evening, on request of Avenson of Fayette.

Schroeder of Pottawattamie offered the following amendment H—3190 filed by him and Harbor of Mills and moved its adoption:

H—3190

Amend House File 312 as follows:

1. Page 13, by striking lines 26 through 35 and inserting in lieu thereof the following:

"6. FACTS AND ARGUMENTS SUBMITTED. At the time a public utility subject to rate regulation files with the commission any new or changed rates, charges, schedules, or regulations, the public utility also shall submit factual evidence and written argument offered in support of the filing.

The utility shall also file affidavits containing testimonial evidence to be offered in support of the filing, although this requirement does not apply if

the public utility is a rural electric cooperative.

Whenever a public utility seeks a general increase in its rates and charges, it shall submit an exhibit to its filing and a proposal for rate design rather than specific rates, charges, schedules or regulations.

After the commission issues its decision on the public utility's general rate proposal, the public utility shall file specific rates, charges, schedules or regulations, which implement the commission's decision and these shall be deemed to be in effect as of the date of the commission's decision."

Roll call was requested by Schroeder of Pottawattamie and Branstad of Winnebago.

On the question "Shall amendment H—3190 be adopted?"

The ayes were, 31:

Anderson	Bennett	Branstad	Carpenter
Daggett	Diemer	Grandia	Halvorson, R. A.
Handorf	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schroeder	Stromer
Stueland	Swearingen	Tofte	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 63:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Davitt
De Groot	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Hanson	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
McKean	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 6:

Chapman	Connors	Doderer	Menke
Schnekloth	Torrence		

Amendment H—3190 lost.

Hanson of Delaware offered the following amendment H—3188 filed by him and moved its adoption:

H—3188

Amend House File 312 as follows:
1. Page 14, line 25, by inserting after the word "expenses" the following: "over a reasonable period of time".

Amendment H—3188 was adopted, placing out of order amendment H—3194 filed by Chiodo of Polk and Schroeder of Pottawattamie on March 2, 1983.

Schroeder of Pottawattamie offered the following amendment H—3181 filed by him and McIntee of Black Hawk and moved its adoption:

H—3181

Amend House File 312 as follows:
1. Page 15, by inserting after line 17 the following:
"Sec. . Section 476.6, Code 1983, is amended by adding the following new subsection:
NEW SUBSECTION. 12. REFUNDS PASSED ON TO CUSTOMERS. If pursuant to federal law or rule a rate-regulated public utility furnishing gas to customers in the state receives a refund or credit for past gas purchases, the savings shall be passed on to the customers in a manner approved by the commission. Similarly, if pursuant to federal law or rule a rate-regulated public utility furnishing gas to customers in the state receives a rate for future gas purchases which is lower than the price included in the public utility's approved rate application, the savings shall be passed on to the customers in a manner approved by the commission. Subsection 10 does not apply to reductions of rates or charges under this subsection."

Amendment H—3181 was adopted.

Osterberg of Linn offered the following amendment H—3187 filed by Osterberg, et al., and moved its adoption:

H–3187

Amend House File 312 as follows:

1. Page 15, by inserting after line 17 the following:

"Sec. . Section 476.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 12. ANNUAL NATURAL GAS SUPPLY AND COST REVIEW. The commerce commission shall conduct an annual proceeding for the purpose of evaluating the reasonableness and prudence of a rate-regulated public utility's natural gas procurement and contracting practices. The natural gas supply and cost review shall be conducted as a contested case pursuant to chapter 17A.

Under procedures established by the commerce commission, each rate-regulated public utility furnishing gas shall annually file a complete natural gas procurement plan describing the expected sources and volumes of its gas supply and changes in the cost of gas anticipated over a future twelve-month period specified by the commission. The plan shall describe all major contracts and gas supply arrangements entered into by the utility for obtaining gas during the specified twelve-month period. The description of the major contracts and arrangements shall include the price of gas, the duration of the contract or arrangement, and an explanation or description of any other term or provision as required by the commission. The plan shall also include the utility's evaluation of the reasonableness and prudence of its decisions to obtain gas in the manner described in the plan, an explanation of the legal and regulatory actions taken by the utility to minimize the cost of gas purchased by the utility, and such other information as the commission may require.

Contemporaneously with the natural gas procurement plan, the public utility shall file with the commission a ten-year forecast of the gas requirement of its customers, its anticipated sources of supply, and projections of gas costs. The forecast shall include a description of all relevant major contracts and gas supply arrangements entered into or contemplated between the gas utility and its suppliers, a description of all major gas supply arrangements which the gas utility knows have been, or expects will be, entered into between the utility's principal pipeline suppliers and their major sources of gas, and such other information as the commission may require.

During the natural gas supply and cost review, the commission shall evaluate the reasonableness and prudence of the gas procurement plan, and shall

Page 2

approve, disapprove, or amend the plan accordingly. In evaluating the gas procurement plan, the commission shall consider the volume, cost, and reliability of the major alternative gas supplies available to the utility; the cost of alternative fuels available to the utility's customers; the availability of gas in storage; the appropriate legal and regulatory actions which the utility could take to minimize the cost of purchased gas; the gas procurement practices of the utility; and other relevant factors. If a utility is not taking all possible actions to minimize its purchase gas costs, the commission shall not allow the utility to recover from its customers purchase gas costs in excess of those costs that would be incurred under reasonable and prudent policies and practices.

The commission shall also evaluate the ten-year forecast filed by the public utility. The commission may indicate any cost items in the ten-year forecast that on the basis of present evidence in the record the commission would be unlikely to permit the utility to recover from its customers in rates, charges or purchased gas clauses established in the future.

The commission shall adopt rules pursuant to chapter 17A to implement the provisions of this section prior to January 1, 1984."

2. Renumbering as necessary.

Amendment H—3187 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3163 filed by him and moved its adoption:

H—3163

Amend House File 312 as follows:

1. Page 19, by striking line 6, and inserting in lieu thereof the following:

"476.20 CUSTOMER PAYMENTS, ABANDONMENT AND TERMINATION OF SERVICE—DEPOSITS."

Amendment H—3163 was adopted.

Davitt of Warren asked and received unanimous consent to withdraw amendment H—3201 filed by Davitt, et al., on March 2, 1983.

Lageschulte of Bremer offered the following amendment H—3175 filed by him and Schnekloth of Scott:

H—3175

Amend House File 312 as follows:

1. By striking page 19, line 35 through page 20, line 4.

Connors of Polk in the chair at 6:34 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the evening, on request of Bennett of Ida.

Lageschulte of Bremer moved the adoption of amendment H—3175.

Roll call was requested by Schnekloth of Scott and Sturgeon of Woodbury.

On the question "Shall amendment H—3175 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Copenhaver	Corey	Daggett
De Groot	Diemer	Doderer	Fogarty
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Skow
Stromer	Stueland	Swearingen	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 56:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chiodo	Cochran	Connolly
Davitt	Fey	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lonergan

McIntee	McKean	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, 5:

Chapman	Cooper	Lloyd-Jones	Tofte
Torrence			

Amendment H—3175 lost.

Speaker Avenson in the chair at 7:12 p.m.

Gronstal of Pottawattamie offered the following amendment H—3185 filed by him and moved its adoption:

H—3185

Amend House File 312 as follows:

1. By striking page 19, line 29 through page 20, line 4, and inserting in lieu thereof the following:

"3. Notwithstanding subsection 1, a public utility furnishing gas or electricity shall not disconnect service of a residential customer for nonpayment of the customer's account from November 1 through April 1 unless the utility proves to the satisfaction of the commission that the customer has the ability to pay the customer's account. The customer who has failed to make the required payments of the account shall establish a reasonable payment plan with the public utility. However, the failure of the customer and public utility to reach an agreement on a reasonable payment plan does not justify disconnection of service from November 1 through April 1."

McIntee of Black Hawk asked for unanimous consent to defer action on amendment H—3185.

Objection was raised.

McIntee of Black Hawk moved that action on amendment H—3185 be deferred.

Roll call was requested by McIntee of Black Hawk and Halvorson of Clayton.

On the question "Shall the motion to defer amendment H—3185 prevail?"

The ayes were, 41:

Anderson	Bennett	Branstad	Carpenter
Carter	Clark	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Osterberg	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Spear	Stromer	Stueland
Swearingen	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 55:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 4:

Chapman	Lloyd-Jones	Tofte	Torrence

The motion lost.

Gronstal of Pottawattamie moved the adoption of amendment H—3185.

A non-record roll call was requested.

The ayes were 44, nays 50.

Amendment H—3185 lost.

McIntee of Black Hawk offered the following amendment H—3192 filed by McIntee, et al., and moved its adoption:

H—3192

Amend House File 312 as follows:

1. By striking page 19, line 29 through page 20, line 4 and inserting in lieu thereof the following:

"3. Notwithstanding subsection 1, any residential customer of a public utility which furnishes gas or electricity who has failed to make required payments to the public utility for service may avoid disconnect by establishing a reasonable payment plan with the public utility with up to twelve months to pay the past due bill. A residential customer who enters into a reasonable payment plan and remains current on payments agreed to under the plan shall not be subject to disconnection of service. A customer who has demonstrated to such public utility that the customer has qualified for the low-income home energy assistance program administered by the energy policy council shall not be subject to disconnection of service by the public utility from November 1 to April 1 for failing to make payments on the customer's account."

Roll call was requested by Arnould of Scott and Stromer of Hancock.

On the question "Shall amendment H—3192 be adopted?"

The ayes were, 44:

Anderson	Bennett	Branstad	Carl
Carpenter	Carter	Clark	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Muhlbauer
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Skow	Stromer	Stueland	Swearingen
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 52:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Hughes	Jay
Jochum	Knapp	Koenigs	Lonergan
Miller	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 4:

Chapman	Lloyd-Jones	Tofte	Torrence

Amendment H—3192 lost.

Diemer of Black Hawk offered the following amendment H—3189 filed by him and moved its adoption:

H—3189

Amend House File 312 as follows:

1. Page 20, by striking lines 24 through 34, and inserting in lieu thereof the following:

"1. SIX-MONTH LIMITATION—EXTENSION. With respect to proceedings under sections 476.3 and 476.6, the commission shall render a final decision on the application for new or changed rates, charges, schedules or regulations, or the complaint or petition, within six months of the date of filing. However the six-month period may be extended, for good cause shown, for a period of up to three months. If the commission has not rendered a final decision with respect to the application, complaint, or petition, upon the expiration of six months after the filing date, plus the length of any extension period permitted by this section, the application for new or changed rates, charges, schedules or regulations shall be deemed finally approved by the commission and the utility may place the tariffs into effect on a permanent basis, or the complaint or petition shall be dismissed with prejudice."

2. Page 21, line 1, by striking the word "twelve-month" and inserting in lieu thereof the word "six-

month".

3. Page 21, by striking lines 7 and 8 and inserting in lieu thereof the following: "the six-month period up to a maximum extension of three".

4. Page 21, line 17, by striking the word "twelve-month" and inserting in lieu thereof the word "six-month".

5. Page 22, line 2, by striking the word "twelve-month" and inserting in lieu thereof the word "six-month".

6. Page 22, by striking lines 4 through 16, and inserting in lieu thereof the following:

"Sec. . NEW SECTION. 476.34 CURRENT TEST PERIOD. The commission shall adopt rules that require it, in determining reasonable and just rates in rate regulatory proceedings under sections 476.3 and 476.6, to use data on the utility's revenues, costs, investments, and other data that reflect occurrences during the six-month period succeeding the date, established by law, by which the proceeding must be decided, excluding any extensions permitted by law. This section does not limit the authority of the commission to consider other evidence in proceedings under sections 476.3 and 476.6."

Roll call was requested by Chiodo of Polk and Arnould of Scott.

On the question "Shall amendment H–3189 be adopted?"

The ayes were, 35:

Anderson	Bennett	Branstad	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Jay
Krewson	Maulsby	McIntee	Menke
Muhlbauer	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 61:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Haverland	Holveck

Hughes	Jochum	Knapp	Koenigs
Lageschulte	Lonergan	McKean	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 4:

Chapman	Lloyd-Jones	Tofte	Torrence

Amendment H—3189 lost.

Schroeder of Pottawattamie offered the following amendment H—3177 filed by Schroeder, et al. :

H—3177

Amend House File 312 as follows:
1. Page 23, by inserting after line 23 the following:
"Sec. . NEW SECTION. 476.37 PAYMENT ADJUSTMENT. For the billing period beginning after the effective date of this Act, all public utilities subject to this chapter shall make a payment adjustment on the utility bill for this period to each utility consumer who resides in a residential dwelling or a commercial residential dwelling, equal to the amount of sales tax paid for the previous billing period. For subsequent billing periods the public utility shall continue to make a payment adjustment for these utility consumers equal to the amount of sales tax charged for the previous billing period. The department of revenue shall provide by rule that the public utilities shall not remit the sales tax charged to the department or those consumers but that they shall continue to provide payment adjustments as provided in this section."

Schroeder of Pottawattamie offered the following amendment H—3216, to amendment H—3177, filed by him from the floor and moved its adoption:

H—3216

Amend the Schroeder amendment, H—3177 to House File 312 as follows:

1. Page 1, by striking lines 15 through 20 and inserting in lieu thereof the following: "charged for the previous billing period." "

Amendment H—3216 was adopted.

Schroeder of Pottawattamie moved the adoption of amendment H—3177, as amended.

Roll call was requested by Schroeder of Pottawattamie and Mullins of Kossuth.

Connors of Polk in the chair at 8:13 p.m.

On the question "Shall amendment H—3177 be adopted?"

The ayes were, 33:

Anderson	Bennett	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schroeder	Stromer
Stueland	Swearingen	Van Camp	Van Gerpen
Van Maanen			

The nays were, 62:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carter	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Connors)		

Absent or not voting, 5:

Chapman Krewson Lloyd-Jones Tofte Torrence

Amendment H—3177, as amended, lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3193 filed by him on March 2, 1983.

Hanson of Delaware offered the following amendment H—3197 filed by him and moved its adoption:

H—3197

Amend House File 312 as follows:
1. Page 23, by inserting after line 23 the following:
"Sec. . NEW SECTION. 476.100 CO-GENERATORS—RATE OF PURCHASE. A utility shall purchase excess electricity generated by co-generators or small power producers, as defined by the commission located within the service area of the utility. The utility shall pay at least three cents per kilowatt hour for all electricity purchased."
2. Renumber as necessary.

Amendment H—3197 lost.

Schroeder of Pottawattamie offered the following amendment H—3191 filed by him and Harbor of Millls and moved its adoption:

H—3191

Amend House File 312 as follows:
1. Page 25, by inserting after line 23 the following:
"Sec. . NEW SECTION. 476A.16 PURCHASES OF FARM LAND FOR FACILITIES. A public utility that furnishes electricity shall not acquire prime farm land for a facility site after July 1, 1983, without receiving prior approval of the acquisition from the commission. The commission shall adopt rules implementing this section."
2. Renumber as necessary.

Amendment H—3191 was adopted.

Speaker Avenson in the chair at 8:31 p.m.

Norland of Worth asked for unanimous consent to suspend Rule 31.8 for the consideration of amendment H—3215.

Objection was raised.

Norland of Worth moved that Rule 31.8 be suspended for the consideration of amendment H—3215 filed from the floor by Chiodo, Holveck, Parker, Gronstal and Sturgeon.

A non-record roll call was requested.

The ayes were 60, nays 32.

The motion prevailed and the House took up for consideration amendment H—3215 as follows:

H—3215

Amend House File 312 as follows:

1. Page 18, by striking lines 24 through page 19, line 3, and inserting in lieu thereof the following:

"3. A public utility furnishing electricity subject to rate regulation is entitled to recover costs and a reasonable profit on that portion of the utililty's test period generating capacity which does not exceed one hundred fifteen percent of the public utility's test period peak demand. In addition, the commerce commission shall allow the utility to recover that portion of the costs of the utility's generating capacity which is in excess of one hundred fifteen percent of the utility's test period peak demand to the extent that the public utility's test period generating capacity does not exceed the projected public utility's test period peak demand as computed under a formula based on historical data. The projected public utility's test period peak demand is the public utility's peak demand which occurred in the tenth year preceding the filing of the application for new or changed rates, charges, schedules, or regulations plus eight times the average of the annual growth in the public utility's peak demand between the tenth and ninth, ninth and eighth,

and eighth and seventh years preceding the date of filing of the application. As used in this subsection, "year" means a consecutive twelve-month period."

Van Gerpen of Black Hawk offered the following amendment H—3217, to amendment H—3215, filed by him from the floor and moved its adoption:

H—3217

Amend amendment H—3215 to House File 312 as follows:

1. Page 1, line 23 by striking the word "eight" and inserting in lieu thereof the word "ten".

Amendment H—3217 lost.

On motion by Chiodo of Polk, amendment H—3215 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 312)

The ayes were, 75:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Davitt
De Groot	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Rensink	Rosenberg	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Van Gerpen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 22:

Anderson	Branstad	Carpenter	Copenhaver
Corey	Daggett	Diemer	Grandia
Harbor	Hermann	Hoffmann-Bright	Hummel
Maulsby	Menke	Pellett	Renken
Royer	Schnekloth	Stromer	Van Camp
Van Maanen	Welden		

Absent or not voting, 3:

Chapman	Tofte	Torrence

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

MOTION TO RECONSIDER TABLED

Chiodo of Polk moved to reconsider the vote by which House File 312 passed the House and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 60, nays 36.

The motion to table prevailed.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 2, 1983, he approved and transmitted to the Secretary of State the following bill:

Senate File 220, a bill for an act to continue the unemployed parent program, the community work program for unemployed parents, and the child medical assistance program for the 1982-1983 fiscal year, effective upon publication.

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 3rd day of March, 1983: House File 68.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

COMMUNICATION FROM THE SECRETARY OF STATE

March 2, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that House Joint Resolution 1 was published in The Winthrop News, Winthrop, Iowa on February 24, 1983 and in the Independence Bulletin-Journal, Independence, Iowa on February 24, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

Daggett of Taylor presented to the House the Honorable Arlo Hullinger, former member of the House representing Decatur County.

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

The Government class from Shenandoah Community School, Shenandoah, accompanied by Mr. Ray Graves. By Royer of Page.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 221 Natural Resources

To revise the procedures relating to penalties under the statute regulating coal mining.

S.B. 222 Natural Resources

Relating to the procedures for assessing penalties under the chapter regulating coal mining.

S.B. 223 Natural Resources

Relating to the mining of ores and minerals other than coal and authorizing a penalty.

S.B. 224 Natural Resources

Relating to coal mining.

S.B. 225 Natural Resources

To revise the procedures for the assessment of penalties under the laws regulating coal mining.

S.B. 226 Education

To provide additional allowable growth to fund approved elementary school counseling and guidance programs for school districts commencing July 1, 1984.

S.B. 227 Human Resources

Relating to the membership of the boards of directors of nonprofit hospital service corporations, nonprofit medical service corporations and nonprofit pharmaceutical or optometric service corporations.

S.B. 228 Human Resources

Relating to the creation of a health data commission, its purposes, membership, powers, duties, and other related areas, and providing a penalty.

S.B. 229 Human Resources

Establishing a health services cost review commission with responsibilities for data collection and regulating rates of hospitals and health care facilities and providing penalties.

S.B. 230 Human Resources

Revising Iowa's aid to dependent children law to conform to federal law and the practices of the department of social services.

S.B. 231 Transportation

Relating to the registration fees for class "A" motor homes.

S.B. 232 Transportation

Relating to the mandatory revocation of the driving privileges of a

person convicted of a felony in which a motor vehicle was used in committing the crime.

S.B. 233 Transportation

To increase the penalty for improper use of motor vehicle registration materials from a simple misdemeanor to a serious misdemeanor.

S.B. 234 Education

Creating the Iowa advanced technology institute and providing an appropriation.

S.B. 235 Small Business and Commerce

Relating to the grounds for denying, suspending, or revoking a registration of securities.

S.B. 236 Small Business and Commerce

Prohibiting a state regulated bank, or service corporation of a bank from engaging in real estate brokerage, and making criminal penalties applicable.

S.B. 237 Small Business and Commerce

Prohibiting a state regulated savings and loan association or a savings and loan service corporation from engaging in real estate brokerage, and making criminal penalties applicable.

S.B. 238 Judiciary and Law Enforcement

Relating to juvenile delinquency history data.

S.B. 239 Local Government

Relating to the acceptance and use by cities of federal assistance for economic development projects.

S.B. 240 State Government

To limit the amount a political committee may contribute to a candidate's committee.

S.B. 241 State Government

Relating to access to records by investigators of the board of medical examiners and providing a penalty.

S.B. 242 State Government

Prohibiting claiming, indicating, or implying to be a physician's assistant.

S.B. 243 State Government

Relating to the commission on professional and occupational regulation.

S.B. 244 State Government

To provide that an eligible elector residing in a precinct may register to vote at the polling place on election day.

S.B. 245 State Government

Relating to a judge's membership in and contributions to the judicial retirement system.

S.B. 246 Judiciary and Law Enforcement

Relating to the release of a defendant before an appearance before a magistrate.

S.B. 247 State Government

Relating to lotteries.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

House File 150, a bill for an act allowing deaf persons to use hearing dogs in certain public places and establishments and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3208** March 2, 1983.

House File 191, a bill for an act relating to the birth defects institute within the state department of health.

Fiscal Note is required.

Recommended **Do Pass** March 2, 1983.

Committee Bill (Formerly Study Bill 140), relating to the medical assistance program, including the department of social services' right of subrogation under the medical assistance program, medical assistance recipients' freedom of choice, and the membership of the medical assistance advisory council.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 1983.

COMMITTEE ON NATURAL RESOURCES

House File 111, a bill for an act relating to reseeding the topsoil of open ditches with prairie grass seed.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3204** March 3, 1983.

Committee Bill (Formerly Study Bill 210), relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 1983.

COMMITTEE ON TRANSPORTATION

House File 166, a bill for an act relating to the rights and duties of persons riding a bicycle or animal or driving an animal drawing a vehicle under the motor vehicle provisions of the Code.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1983.

House File 206, a bill for an act prohibiting the operation of motor vehicles with excessively dark windshields or windows and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1983.

Senate File 207, a bill for an act relating to the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3209** March 2, 1983.

AMENDMENTS FILED

H—3203	H.F. 360	Corey of Louisa
H—3204	H.F. 111	Committee on Natural Resources
H—3205	H.F. 81	Bennett of Ida
H—3208	H.F. 150	Committee on Human Resources
H—3209	S.F. 207	Committee on Transportation
H—3213	H.F. 363	Spear of Lee Cooper of Lucas Renken of Grundy Renaud of Polk Torrence of Muscatine
H—3214	H.F. 42	Fogarty of Palo Alto Pellett of Cass Copenhaver of Buchanan

On motion by Norland of Worth, the House adjourned at 9:17 p.m., until 9:00 a.m., Friday, March 4, 1983.

JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day—Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 4, 1983

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

Prayer was offered by the Honorable Doris Peick, state representative from Linn County.

The Journal of Thursday, March 3, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Torrence of Muscatine on request of Bennett of Ida; Brammer of Linn on request of Peick of Linn.

PETITION FILED

The following petition was received and placed on file:

By Cochran of Webster from forty-five constituents opposing Senate File 92, an act to permit pari-mutuel betting in Iowa.

INTRODUCTION OF BILLS

House File 377, by committee on local government, a bill for an act relating to the financing of public projects through bonds, warrants, special assessments, and other obligations, by amending procedures for the issuance of bonds, warrants, special assessments, and other obligations, and by providing for the registration of bonds or other obligations, by authorizing interim financing of projects, and making corresponding amendments to the Code.

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

House File 378, by committee on local government, a bill for an act relating to veteran preference in public employment and providing an effective date.

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

House File 379, by Copenhaver, a bill for an act relating to hunting from a moving motor vehicle.

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

House File 380, by Tabor, a bill for an act relating to the preservation of trees in highway projects.

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

House File 381, by Connors, Cochran, Krewson, Jochum, Davitt, Halvorson of Webster, Woods, Arnould, Stromer, Black and Swearingen, a bill for an act relating to the inclusion of optometric services in health insurance policies or contracts if the vision care services or procedures are covered when performed by other health care providers.

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

House File 382, by Connors, a bill for an act relating to annual salaries of assistant county attorneys.

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

House File 383, by Sturgeon, a bill for an act to provide for the purchase by state agencies of motor vehicles manufactured in this country.

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

House File 384, by Varn, a bill for an act requiring the registration of a charitable trust or private foundation with the secretary of state.

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

House File 385, by Rosenberg, a bill for an act providing that platting requirements do not apply to the dividing of a parcel of land into two parts.

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

House File 386, by Carl, a bill for an act allowing members of the United States armed forces on active duty and those honorably discharged who served between the Korean and Vietnam Conflicts to receive the state military service property tax exemption.

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

House File 387, by Osterberg, a bill for an act to encourage the development of alternative energy production facilities, cogeneration facilities, and small hydroelectric facilities.

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

House File 388, by Rosenberg, a bill for an act including a child in need of treatment for chemical dependency within the definition of a child in need of assistance.

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

House File 389, by Renaud, a bill for an act to provide that a county waterworks may be financed with general obligation bonds as an essential county purpose.

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

House File 390, by Carl, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

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

House File 391, by Carl, a bill for an act to allow certain Iowa residents sixty years of age and older to attend courses offered by certain state-supported institutions by paying certain costs.

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

House File 392, by McKean, a bill for an act relating to the zoning powers of the board of supervisors within two miles of a city.

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

House File 393, by Sturgeon, a bill for an act relating to the code of ethics prepared by committees on ethics.

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

House File 394, by Tabor, a bill for an act relating to joint exercise of powers by public agencies for public works and facilities.

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

House File 395, by committee on labor and industrial relations, a bill for an act relating to the care given under worker's compensation medical benefits.

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

SENATE MESSAGES CONSIDERED

Senate File 14, by Holden, a bill for an act to exempt the state, its agencies, and political subdivisions of the state from the tax on motor fuel where the motor fuel is used for a public purpose and delivered into storage tanks owned or used exclusively by the state, its agencies, or a political subdivision of the state.

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

Senate File 73, by Priebe, a bill for an act requiring the Iowa beer and liquor control department to hold a local public hearing when a state liquor store is established or discontinued.

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

Senate File 208, by Hutchins, a bill for an act authorizing the issuance of industrial revenue bonds under chapter 419 for museums, libraries, and tourist information centers.

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

Senate File 223, by Taylor, a bill for an act increasing the principal amount of the bonds and notes which may be issued by the

Iowa housing finance authority under the Iowa small business loan program.

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

Senate File 267, by committee on natural resources, a bill for an act relating to the rule-making authority of the water, air and waste management commission and providing an effective date.

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

Senate File 294, by committee on judiciary, a bill for an act relating to the use of a signature facsimile by certain persons.

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

Senate File 295, by committee on rules and administration, a bill for an act providing that the chairpersons and ranking minority party members or their designated committee members of the house and senate finance committees shall be members of the legislative fiscal committee.

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 March 3, 1983, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 12, providing for the memorial session to be held in the House Chamber on March 29, 1983.

K. MARIE THAYER, Secretary

The House stood at ease at 9:19 a.m., until the fall of the gavel.

The House resumed session at 9:45 a.m., Speaker Avenson in the chair.

MEMORIAL COMMITTEE APPOINTED

Speaker Avenson 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 Gene Blanshan; the Honorable Betty Jean Clark; and the Honorable Joyce Lonergan.

CONSIDERATION OF BILLS
Regular Calendar

House File 313, a bill for an act establishing as the policy of the state that employees shall be paid at a rate based on comparable worth, providing for a study, and delaying the implementation of the policy, was taken up for consideration.

Mullins of Kossuth offered the following amendment H–3182 filed by Mullins, et al., and moved its adoption:

H–3182

Amend House File 313 as follows:
1. Page 1, line 31, by inserting after the word "study" the words "and a proposed date for the governor and the legislative council to submit recommendations to the appropriate committees of the general assembly".

Amendment H–3182 was adopted.

Doderer 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. 313)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor

Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Brammer	Chapman	Connors	Torrence

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

House File 81, a bill for an act to establish a Mexican foreign trade office to be operated by the Iowa development commission, with report of committee recommending passage was taken up for consideration.

Bennett of Ida offered the following amendment H–3205 filed by him:

H–3205

Amend House File 81 as follows:

1. Page 1, line 3, by inserting after the word "Establish" the words "upon appropriation of sufficient funds by the general assembly".

Menke of O'Brien in the chair at 10:12 a.m.

Bennett of Ida moved the adoption of amendment H–3205.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 48, nays 48.

Amendment H–3205 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chapman of Linn on request of Arnould of Scott.

De Groot of Lyon offered the following amendment H–3113 filed by him and moved its adoption:

H–3113

Amend House File 81 as follows:
1. Page 1, line 4, by inserting after the word "in" the word "either".
2. Page 1, line 4, by inserting after the word "Mexico" the words "or in South America, whichever the commission decides will serve best".
3. Page 1, line 5, by striking the words "to that country".

A non-record roll call was requested.

The ayes were 42, nays 52.

Amendment H–3113 lost.

Speaker Avenson in the chair at 10:54 a.m.

Davitt of Warren offered the following amendment H–3135 filed by him and moved its adoption:

H–3135

Amend House File 81 as follows:
1. Page 1, line 5, by inserting after the word "country" the words "and the rest of Latin America".

A non-record roll call was requested.

The ayes were 55, nays 19.

Amendment H–3135 was adopted.

Welden of Hardin offered the following amendment H—3145 filed by him and moved its adoption:

H—3145

Amend House File 81 as follows:
1. Page 1, by inserting after line 6 the following:
"Sec. 2. There is appropriated from the general fund of the state to the Iowa development commission for the fiscal year beginning July 1, 1983 and ending June 30, 1984 the sum of one hundred thousand (100,000) dollars, or so much thereof as is necessary, for the establishment and operation of a foreign trade office in Mexico."

A non-record roll call was requested.

The ayes were 66, nays 27.

Amendment H—3145 was adopted.

RULE 32 INVOKED

Stromer of Hancock rose on a point of order and invoked Rule 32 on House File 81.

The Speaker ruled the point well taken and House File 81 referred to the committee on appropriations.

House File 278, a bill for an act defining the role of an auctioneer in selling real property without needing a real estate license, was taken up for consideration.

Swartz 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. 278)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper

Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Brammer	Chapman	Connors	Torrence

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

SENATE FILE 288 SUBSTITUTED FOR HOUSE FILE 218

Osterberg of Linn asked and received unanimous consent to substitute Senate File 288 for House File 218.

Noncontroversial Calendar

Senate File 288, a bill for an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive, was taken up for consideration.

RULE 36 INVOKED

Stromer of Hancock rose on a point of order and invoked Rule 36 on Senate File 288.

The Speaker ruled the point well taken and that debate having exceeded 10 minutes in length, Senate File 288 was returned to the ways and means calendar.

Senate File 158, a bill for an act authorizing the board of supervisors to purchase blanket surety bonds for certain county officers and employees, with report of committee recommending passage was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—3155 filed by him and moved its adoption:

H—3155

Amend Senate File 158 as passed by the Senate, as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. . Section 18.165, subsection 1, paragraph b, Code 1983, is amended to read as follows:

b. Bonding of state employees shall be re-evaluated, and uniform standards shall be adopted for the purchase of all fidelity bonds recommended for state employees. To the extent possible, all bonded state employees shall be covered under one or more blanket bonds or position schedule bonds. In carrying out the requirements of section 64.6, the state may purchase an individual or a blanket surety bond insuring the fidelity of state officers subject to the minimum surety bond requirements of section 64.6. A state officer listed in section 64.6 is deemed to have furnished surety if the officer is covered by a blanket bond purchased as provided in this paragraph.

Sec. . Section 64.6, unnumbered paragraph 1, Code 1983, is amended to read as follows:

~~State~~ Unless covered by a higher limit blanket bond purchased as provided in section 18.165, subsection 1, paragraph b, state officers shall give bonds, the premiums being paid by the state, in an amount as follows:"

2. Title page, line 3, by inserting after the word "employees" the words "and authorizing the state to purchase blanket surety bonds for state officers".

3. By numbering, renumbering and correcting internal references as necessary.

Amendment H—3155 was adopted.

Royer of Page moved that the bill be read a last time 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, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman

The nays were, none.

Absent or not voting, 8:

Brammer	Chapman	Connors	Harbor
Parker	Rensink	Torrence	Mr. Speaker

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:

Rensink of Sioux, for the remainder of the morning, on request of Schnekloth of Scott.

House File 53, a bill for an act relating to the donation of blood by persons seventeen years of age or older, with report of committee recommending passage was taken up for consideration.

Zimmerman 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. 53)

The ayes were, 69:

Arnould	Bennett	Blanshan	Buhr
Carpenter	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	McIntee	Miller
Muhlbauer	Mullins	Norland	Ollie
Oxley	Parker	Pavich	Peick
Pellett	Poncy	Renaud	Rosenberg
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Stromer	Stueland
Sturgeon	Sullivan	Swearingen	Tabor
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 26:

Anderson	Baxter	Black	Branstad
Carl	Carter	De Groot	Grandia
Handorf	Hummel	Knapp	Krewson
Maulsby	McKean	Menke	O'Kane
Osterberg	Paulin	Renken	Schnekloth
Spear	Swartz	Tofte	Van Camp
Van Maanen	Welden		

Absent or not voting, 5:

Brammer	Chapman	Connors	Rensink
Torrence			

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

House File 162, a bill for an act relating to the age of termination of education for children requiring special education, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 162)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Brammer	Chapman	Connors	Rensink
Torrence			

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

House File 219, a bill for an act to divide judicial district five into three judicial election districts, was taken up for consideration.

Jay of Appanoose offered the following amendment H–3153 filed by him and moved its adoption:

H–3153

Amend House File 219 as follows:

1. Page 1, by inserting after line 8 the following:

"Sec. 2. The membership of district judicial nominating commissions for judicial election districts 5A and 5C shall be as provided in chapter 46, subject to the following transition provisions:

1. Those judicial nominating commissioners of judicial election district 5A who are residents of Polk county shall be disqualified from serving in election district 5A on the effective date of this Act, and their offices shall be deemed vacant. The vacancies thus created shall be filled as provided in section 46.5 for the remainder of the unexpired terms.

2. After the effective date of this Act the governor shall appoint five eligible electors of judicial election district 5C to the district judicial nominating commission for terms commencing immediately upon appointment. Two of the appointees shall serve terms ending January 31, 1986, two of the appointees shall serve terms ending January 31, 1988, and the remaining appointee shall serve a term ending January 31, 1990, as determined by the governor. At the end of these terms and each six years thereafter the governor shall appoint commissioners pursuant to section 46.3

3. After the effective date of this Act elective judicial nominating commissioners for judicial election district 5A shall be elected as provided in chapter 46 to terms of office commencing immediately upon election. One of those elected shall serve terms ending January 31, 1986, two shall serve terms ending January 31, 1988, and two shall serve terms ending January 31, 1990, as determined by the drawing of lots by the persons elected. At the end of these terms and every six years thereafter elective commissioners shall be elected pursuant to chapter 46."

2. By renumbering to conform to this amendment.

Amendment H–3153 was adopted.

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

On the question "Shall the bill pass?" (H.F. 219)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Brammer	Chapman	Connors	Rensink
Torrence			

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

House File 242, a bill for an act relating to the cancellation of outstanding warrants, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 242)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Brammer	Chapman	Connors	Haverland
Rensink	Schroeder	Torrence	

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

House File 243, a bill for an act repealing the requirement to file a certificate of the county treasurer of payment of personal property taxes due on the estate of a decedent, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 243)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Brammer	Chapman	Connors	Haverland
Rensink	Torrence		

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

House File 244, a bill for an act to legalize proceedings taken by the board of supervisors of Pottawattamie county relating to the sale of certain properties, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 244)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman		

The nays were, 4:

Hanson	Hughes	McKean	Schnekloth

Absent or not voting, 6:

Brammer	Chapman	Connors	Rensink
Torrence	Mr. Speaker		

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

MOTIONS TO RECONSIDER WITHDRAWN
(House File 140)

Schroeder of Pottawattamie and Stromer of Hancock asked and received unanimous consent to withdraw the motion to reconsider House File 140, a bill for an act relating to the promulgation of administrative rules and their review by the administrative rules review committee, attorney general, and governor and making it effective upon publication, filed by them on March 1, 1983.

REREFERRED TO COMMITTEE ON EDUCATION
(House File 33)

Daggett of Taylor asked and received unanimous consent to rerefer House File 33, presently on the **regular calendar**, to the committee on **education**.

REREFERRED TO COMMITTEE ON SMALL BUSINESS AND COMMERCE
(House File 310)

The Speaker announced that House File 310, previously referred to the committee on **transportation**, was rereferred to the committee on **small business and commerce**.

REREFERRED TO COMMITTEE ON FINANCE
(House File 342 and Senate File 15)

The Speaker announced that House File 342, recommended amend and do pass by the committee on **ways and means** at their meeting on March 3, 1983, was rereferred to the committee on **finance** under House Rule 33.

The Speaker announced that Senate File 15, recommended do pass by the committee on **ways and means** at their meeting on March 3, 1983, was rereferred to the committee on **finance** under House Rule 33.

REMOVED FROM NONCONTROVERSIAL CALENDAR
(House File 80)

Spear of Lee requested that, pursuant to Rule 36, House File 80 be removed from the noncontroversial calendar and returned to the regular calendar.

SPONSOR WITHDRAWN
(Amendment H—3162 to House File 314)

Maulsby of Calhoun requested to be withdrawn as a sponsor of amendment H—3162 to House File 314.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 248 Agriculture

To limit the liability for a security interest in agricultural products to two years.

S.B. 249 Judiciary and Law Enforcement

Relating to the maximum amount that may be garnisheed each year from a judgment debtor's personal income.

S.B. 250 Ways and Means

Relating to the corporate income tax.

S.B. 251 State Government

To increase the amount of a taxpayer's tax liability the taxpayer may designate to be paid over to the Iowa election campaign fund.

S.B. 252 Agriculture

Relating to securities exempt from registration under the Iowa uniform securities Act.

S.B. 253 Judiciary and Law Enforcement

Relating to the determination of pecuniary damages for restitution.

S.B. 254 Local Government

Relating to liability for punitive damages of officers and employees of municipalities.

SUBCOMMITTEE ASSIGNMENTS

House File 35

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 37 (Reassigned)

Labor and Industrial Relations: Gronstal, Chair; Brammer, Branstad, Grandia and Poncy.

House File 83

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 85

Education: Jay, Chair; Haverland and Van Gerpen.

House File 149

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 192

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 226

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 270

Education: Ollie, Chair; Shoultz and Swearingen.

House File 286

Education: Carter, Chair; Carpenter and Shoultz.

House File 301

Ways and Means: Varn, Chair; Doderer and Renken.

House File 305

Ways and Means: Doderer, Chair; Lageschulte and Osterberg.

House File 309

Local Government: Black, Chair; Cooper, O'Kane, Renken and Royer.

House File 310

Transportation: Renaud, Chair; Harbor and Pavich.

House File 319

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 333

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 334

Labor and Industrial Relations: Connors, Chair; Grandia, Halvorson of Clayton, Miller and Ollie.

House File 336

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 337

Transportation: Cooper, Chair; Lageschulte and Muhlbauer.

House File 340

Local Government: Renaud, Chair; Running and Swearingen.

House File 350

Ways and Means: Doderer, Chair; Fey and Carpenter.

House File 351

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

House File 368

Ways and Means: Koenigs, Chair; Schroeder and Swartz.

House File 369

Ways and Means: Rosenberg, Chair; Anderson and Oxley.

House File 371

Ways and Means: Oxley, Chair; McKean and Osterberg.

House Concurrent Resolution 11

Transportation: Davitt, Chair; Pavich and Pellett.

Senate File 15

Ways and Means: Oxley, Chair; Clark and O'Kane.

Senate File 23

Ways and Means: Davitt, Chair; Diemer and Groninga.

Senate File 56

Ways and Means: Varn, Chair; Brammer and Maulsby.

Senate File 175

Ways and Means: Tabor, Chair; Koenigs and Schroeder.

Senate File 213

Transportation: Koenigs, Chair; Harbor and Woods.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 43

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

Study Bill 44

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

Study Bill 45

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

Study Bill 46

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

Study Bill 87 (Reassigned)

Local Government: O'Kane, Chair; Connors, Hermann, Lloyd-Jones and Tofte.

Study Bill 193

Human Resources: Carl, Chair; Arnould, Copenhaver, Daggett, Fey, Hammond, Hermann, Lonergan and Rensink.

Study Bill 217

Human Resources: Mullins, Chair; Connors, Ollie, Sherzan and Van Camp.

Study Bill 218

Energy: Muhlbauer, Chair; Anderson and Van Gerpen.

Study Bill 219

Energy: Jay, Chair; McIntee, Osterberg, Shoultz and Van Camp.

Study Bill 220

Natural Resources: Sullivan, Chair; Black, Diemer, Groth and Hanson.

Study Bill 226

Education: Krewson, Chair; Buhr and Connolly.

Study Bill 227

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 228

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 229

Human Resources: Arnould, Chair; Clark, Daggett, Mullins, Ollie, Running and Zimmerman.

Study Bill 230

Human Resources: Mullins, Chair; Connors, Ollie, Sherzan and Van Camp.

Study Bill 232

Transportation: Miller, Chair; Fey and Van Camp.

Study Bill 233

Transportation: Miller, Chair; Fey and Van Maanen.

Study Bill 234

Education: Groth, Chair; Ollie, Daggett, Jay and Krewson.

Study Bill 235

Small Business and Commerce: Chiodo, Chair; Halvorson of Clayton and Swartz.

Study Bill 236

Small Business and Commerce: Gronstal, Chair; Baxter, Oxley, Renken and Schnekloth.

Study Bill 237

Small Business and Commerce: Gronstal, Chair; Baxter, Oxley, Renken and Schnekloth.

Study Bill 239

Local Government: Buhr, Chair; Hermann and Running.

Study Bill 250

Ways and Means: Osterberg, Chair; Clark and Gronstal.

Study Bill 254

Local Government: Running, Chair; Hermann, Oxley, Peick and Tofte.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON TRANSPORTATION

House Concurrent Resolution 11, a concurrent resolution requesting the bankruptcy court to require contract provision in sale of right of way to provide for east-west access.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3219** March 3, 1983.

COMMITTEE ON WAYS AND MEANS

House File 342, a bill for an act establishing an ethanol production incentive fund for purposes of providing a production incentive to ethanol producers in the state on the first one hundred thousand gallons of eligible ethanol produced each year, providing a maximum annual appropriation of five hundred thousand dollars, and providing penalties for false claims filed for production incentives.

Fiscal note is required.

Recommended **Amend and Do Pass with amendment H—3218** March 3, 1983.

Senate File 15, a bill for an act relating to the provision of health, welfare, and social services under the county health center tax levy.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 1983.

AMENDMENTS FILED

H—3218	H.F. 342	Committee on Ways and Means
H—3219	H.C.R. 11	Committee on Transportation
H—3220	H.F. 315	Varn of Johnson
H—3221	H.F. 316	Parker of Jasper

On motion by Norland of Worth, the House adjourned at 12:20 p.m., until 10:00 a.m., Monday, March 7, 1983.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day — Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 7, 1983

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

Prayer was offered by Reverend Steven Ullestad, pastor of the St. Timothy Lutheran Church, Hudson.

The Journal of Friday, March 4, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Blanshan of Greene on request of Stueland of Clinton; Running of Linn on request of Peick of Linn.

HOUSE FILE 2 WITHDRAWN

Menke of O'Brien asked and received unanimous consent to withdraw House File 2 from further consideration by the House.

INTRODUCTION OF BILL

House File 396, by committee on judiciary and law enforcement, a bill for an act to allow setoffs against state income tax refunds or rebates any claims to recoup public assistance overpayments by the department of social services.

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 March 3, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 19, a bill for an act relating to the standards for admission to laboratory schools under the control of the state board of regents.

Also: That the Senate has on March 4, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 214, a bill for an act to provide that a county waterworks may be financed with general obligations bonds as an essential county purpose.

Also: That the Senate has on March 3, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 231, a bill for an act allowing sheriffs to provide abstracts of operating records.

Also: That the Senate has on March 3, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 257, a bill for an act to repeal the fifty percent of sales requirement for Sunday beer and liquor sales.

Also: That the Senate has on March 3, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 266, a bill for an act relating to qualifications for area education agency administrators.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 315, a bill for an act to increase the jurisdictional amount of small claims court to two thousand dollars and to increase the small claims docket fee, was taken up for consideration.

Varn of Johnson offered the following amendment H–3220 filed by him and moved its adoption:

H–3220

Amend House File 315 as follows:

1. Page 1, by inserting after line 23 the following:

"Sec. 4. All small claims docket fees collected by the county and remitted to the state prior to the effective date of this Act are legalized and declared to be valid."

Amendment H–3220 was adopted.

Varn 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. 315)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Knapp
Koenigs	Krewson	Lloyd-Jones	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Schnekloth	Schroeder
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Blanshan	Carter	Connors	Jochum
Lageschulte	Lonergan	Running	Sherzan
Welden			

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

Varn of Johnson in the chair at 10:18 a.m.

House File 316, a bill for an act relating to the source of names for jury lists, was taken up for consideration.

Parker of Jasper offered the following amendment H—3221 filed by him:

H—3221

Amend House File 316 as follows:
1. Page 1, line 21, by inserting after the word "year." the words "Lists of public utility customers provided for use under this section are confidential."

Mullins of Kossuth offered the following amendment H—3223, to amendment H—3221, filed by her and Parker of Jasper from the floor and moved its adoption:

H—3223

Amend amendment H—3221 to House File 316 as follows:
1. Page 1, by striking line 4, and inserting in lieu thereof the following: "are limited to publicly available telephone directories."

Amendment H—3223 was adopted.

On motion by Parker of Jasper, amendment H—3221, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 316)

The ayes were, 93:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Kfewson
Lloyd-Jones	Lonergan	Maulsby	McIntee

McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Rosenberg	Royer
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden	Woods	Zimmerman
Mr. Speaker (Varn)			

The nays were, 2:

Renken	Schroeder

Absent or not voting, 5:

Blanshan	Carl	Connors	Lageschulte
Running			

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

HOUSE FILE 359 DEFERRED

House File 359, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, was taken up for consideration.

Harbor of Mills asked and received unanimous consent to defer action on House File 359 and that the bill retain its place on the calendar.

House File 176, a bill for an act providing that a political party or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with another qualified organization to conduct the games of skill, games of chance, or raffles, with report of committee recommending amendment and passage was taken up for consideration.

Chapman of Linn offered the following amendment H—3143 filed by the committee on state government and moved its adoption:

H—3143

Amend House File 176 as follows:

1. Page 1, by striking lines 9 through 11 and inserting in lieu thereof the following: "as defined in section 43.2 ~~or~~, to a nonparty political organization that has qualified to place a candidate as its nominee for statewide office pursuant to chapter 44, or to a candidate committee as defined in section 56.2."

2. Page 1, line 17, by striking the words "or applicants".

3. Amend the title, line 1, by inserting after the words "party or" the words "candidate committee or".

The committee amendment H—3143 was adopted.

Spear of Lee offered the following amendment H—3171 filed by him and moved its adoption:

H—3171

Amend House File 176 as follows:

1. Page 1, line 4, by striking the word "it" and inserting in lieu thereof the words "~~it~~ the person or organization".

Amendment H—3171 was adopted.

Chapman 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. 176)

The ayes were, 68:

Anderson	Arnould	Avenson	Baxter
Black	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Cochran	Connolly	Cooper	Copenhaver
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	McIntee	Miller

Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Sherzan	Shoultz	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Van Gerpen	Woods	Zimmerman	Mr. Speaker (Varn)

The nays were, 28:

Bennett	Branstad	Clark	Corey
Daggett	De Groot	Grandia	Handorf
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Maulsby	McKean	Menke
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stueland
Torrence	Van Camp	Van Maanen	Welden

Absent or not voting, 4:

Blanshan	Connors	Lageschulte	Running

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

House File 341, a bill for an act relating to the taking of fish for stocking and exchange, was taken up for consideration.

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. 341)

The ayes were, 95:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hummel	Jay

Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden
Woods	Zimmerman	Mr. Speaker (Varn)	

The nays were, 1:

Hughes

Absent or not voting, 4:

Blanshan	Connors	Lageschulte	Running

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

House File 343, a bill for an act authorizing the conservation commission to protect and manage all wild vertebrates, was taken up for consideration.

Woods of Polk offered the following amendment H—3166 filed by him and moved its adoption:

H—3166

Amend House File 343 as follows:
Page 1, line 9, by striking the word "perserve" and inserting in lieu thereof the word "preserve".

Amendment H—3166 was adopted.

Speaker Avenson in the chair at 10:49 a.m.

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?" (H.F. 343)

The ayes were, 82:

Arnould	Baxter	Black	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Renaud	Rosenberg	Royer	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Gerpen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 15:

Anderson	Bennett	Branstad	De Groot
Grandia	Handorf	Hummel	Maulsby
Poncy	Renken	Rensink	Schnekloth
Stueland	Van Camp	Van Maanen	

Absent or not voting, 3:

Blanshan	Connors	Running

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 359,** a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, previously deferred.

O'Kane 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. 359)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Blanshan	Connors	Lloyd-Jones	Running

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

House File 358, a bill for an act relating to the membership of a county enterprise commission, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 358)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr

Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Blanshan	Connors	Lloyd-Jones	Running

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

HOUSE FILE 360 DEFERRED

House File 360, a bill for an act increasing the penalties for removal or defacing of traffic control devices, was taken up for consideration.

Corey of Louisa offered the following amendment H—3203 filed by him and moved its adoption:

H—3203

Amend House File 360 as follows:

1. Page 1, by striking line 13 and inserting in lieu thereof the following: "fine of five hundred dollars.

Amendment H—3203 was adopted.

Sturgeon of Woodbury in the chair at 11:17 a.m.

Jay of Appanoose asked and received unanimous consent that House File 360 be deferred and that the bill retain its place on the calendar.

House File 364, a bill for an act relating to ways condemned by landowners having no access to their property, 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?" (H.F. 364)

The ayes were, 92:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lonergan	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Sturgeon)

The nays were, 5:

Krewson	Lloyd-Jones	Maulsby	Oxley
Pellett			

Absent or not voting, 3:

Blanshan	Connors	Running

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

Noncontroversial Calendar

House File 245, a bill for an act relating to the time by which a court shall set out the amount of restitution in a criminal case, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 245)

The ayes were, 97:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Sturgeon)			

The nays were, none.

Absent or not voting, 3:

Blanshan	Connors	Running

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

House File 201, a bill for an act to delete a requirement that claims against a county be verified by the signature of the claimant, with report of committee recommending passage was taken up for consideration.

Hermann 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. 201)

The ayes were, 97:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Sturgeon)			

The nays were, none.

Absent or not voting, 3:

Blanshan	Connors	Running

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

House File 247, a bill for an act requiring the department of social services to prepare and the council on social services to submit a biennial plan relating to the management of the community-based corrections programs and services, was taken up for consideration.

Spear 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. 247)

The ayes were, 96:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Sturgeon)

The nays were, none.

Absent or not voting, 4:

Blanshan	Chapman	Connors	Running

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

House File 279, a bill for an act relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs, was taken up for consideration.

Spear 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. 279)

The ayes were, 96:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Schnekloth
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Sturgeon)

The nays were, 1:

Schroeder

Absent or not voting, 3:

Blanshan Connors Running

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

Senate File 132, a bill for an act relating to the examination and settlement of accounts of county officers or employees, with report of committee recommending passage was taken up for consideration.

O'Kane 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. 132)

The ayes were, 95:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Sturgeon)	

The nays were, 1:

Handorf

Absent or not voting, 4:

Blanshan	Connors	Running	Swartz

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

MOTIONS TO RECONSIDER
(House File 343)

I move to reconsider the vote by which House File 343 passed the House on March 7, 1983.

SCHROEDER of Pottawattamie

(House File 343)

I move to reconsider the vote by which House File 343 passed the House on March 7, 1983.

WOODS of Polk

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 7, 1983, he approved and transmitted to the Secretary of State the following bill:

House File 68, an act relating to mobile homes by providing that the mobile home tax is due, payable, and delinquent at the same time as real property taxes, that mobile homes may be sold for delinquent taxes in the same manner as real property, by providing that mobile homes are subject to security interests in the same manner as other vehicles subject to registration, and making certain provisions of the act retroactive.

PRESENTATION OF VISITORS

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

Seventy-five fifth grade students from Fair Meadows Elementary School, West Des Moines, accompanied by Marilyn Hansen, Mrs. Hanzelon and Mrs. Patton. By Carpenter of Polk.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

IOWA CIVIL RIGHTS COMMISSION

The Civil Rights Affirmative Action Review for years 1973 through 1981, pursuant to Executive Order Number 15 issued by Governor Robert D. Ray on April 2, 1973.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 255 Education

To require registration with the secretary of state of certain schools that maintain or conduct courses of instruction.

S.B. 256 Education

To prohibit the acceptance of a reorganization petition by an area education agency administrator from a school district that has approved the issuance of general obligation bonds within a specified time period.

S.B. 257 Education

Relating to the filing of petitions for school district reorganization.

S.B. 258 Transportation

Exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

S.B. 259 Transportation

To allow county treasurers upon approval of the board of supervisors to assess a fee for issuance of registration plates.

S.B. 260 Transportation

Relating to the mandatory revocation of the driving privileges of a person convicted of a felony in which a motor vehicle was used in committing the crime.

S.B. 261 Transportation

To increase the penalty for axle, tandem axle, and group of axle weight violations and for providing false shipping documents.

S.B. 262 Transportation

To eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities.

S.B. 263 Transportation

To increase the penalty for improper use of motor vehicle registration materials from a simple misdemeanor to a serious misdemeanor.

S.B. 264 Transportation

Providing for the preservation of rail corridors for future rail use upon abandonment of the rail corridors.

S.B. 265 Human Resources

Relating to the qualifications of a nursing home administrator.

S.B. 266 Human Resources

Relating to child day care facilities and providing a penalty.

S.B. 267 State Government

Providing for a model procurement code for the state and its agencies, making coordinating amendments, and providing penalties.

S.B. 268 Ways and Means

Relating to the establishment of a central assessment valuation fund.

S.B. 269 Ways and Means

Relating to penalties for violations of the motor fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws.

CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that a certificate of recognition has been issued as follows:

1983-3 LaSalle High School Boys Football Team, Cedar Rapids — Class 2A State Football Championship

JOSEPH O'HERN
Chief Clerk of the House

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 342, a bill for an act establishing an ethanol production incentive fund for purposes of providing a production incentive to ethanol producers in the state on the first one hundred thousand gallons of eligible ethanol produced each year, providing a maximum annual appropriation of five hundred thousand dollars, and providing penalties for false claims filed for production incentives.

Fiscal Note is required.

Recommended **Amend and Do Pass** with Ways and Means Committee amendment H—3218 and Finance Committee amendment H—3224 (to amendment H—3218) March 7, 1983.

AMENDMENTS FILED

H—3222	H.F. 42	Spear of Lee
H—3224	H.F. 342	Committee on Finance

On motion by Norland of Worth, the House adjourned at 12:17 p.m., until 9:00 a.m., Tuesday, March 8, 1983.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day — Thirty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 8, 1983

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

Prayer was offered by Father Gerald J. Stessman, pastor of St. Mary's Catholic Church, Guthrie Center.

The Journal of Monday, March 7, 1983 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By De Groot of Lyon, from thirty-eight constituents opposing Senate File 92, an act to permit pari-mutuel betting in Iowa.

By Schroeder of Pottawattamie, from nine hundred ninety-seven residents opposing parking restrictions on improvement projects such as the Missouri Valley railroad overpass.

INTRODUCTION OF BILLS

House File 397, by Fey, a bill for an act to provide each student graduating from high school with a voter registration form.

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

House File 398, by Sturgeon, a bill for an act relating to the rules on ethics and lobbying prepared by the committees on ethics.

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

House File 399, by Copenhaver, a bill for an act relating to consumption of alcohol by minors and evidence of legal age and adding a penalty.

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

House File 400, by De Groot, a bill for an act to reinstate the common law doctrine of contributory negligence.

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

House File 401, by Holveck and Van Camp, a bill for an act increasing district court filing fees and small claims court docket fees and distributing the money to the legal aid society of Polk county and the legal services corporation of Iowa to provide legal assistance in civil matters to low income people.

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

House File 402, by Brammer, a bill for an act relating to informing defendants of an applicable mandatory minimum sentence.

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

House File 403, by Skow, a bill for an act to provide the Iowa natural resources council with authority to require compensation for well interference.

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

House File 404, by Connolly, a bill for an act to prohibit funds of the Iowa public employees' retirement system from being invested in firms doing business in or with the Republic of South Africa and providing for divestiture of the investments.

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

House File 405, by Diemer, Jay, Tabor, Groninga, McIntee and Parker, a bill for an act relating to the qualifications for certified public accountants.

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

House File 406, by committee on natural resources, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles.

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

House File 407, by Krewson, Peick and Connolly, a bill for an act exempting animal shelters from complying with requests by authorized institutions for dogs for use in scientific research.

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

House File 408, by committee on judiciary and law enforcement, a bill for an act relating to dissolution and annulment forms and records.

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

House File 409, by Royer, a bill for an act relating to the liability of the state of Iowa and its governmental subdivisions for claims by a person, or the person's family or estate, who was involved in an accident where the person was under the influence of an alcoholic beverage, or a narcotic, hypnotic, or other drug.

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

House File 410, by Skow, a bill for an act relating to the unemployment law's requirement to earnestly and actively seek work by contacting employers for employment.

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

House File 411, by Skow, a bill for an act to provide information on the ratio of assessments to city and county assessors.

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

House File 412, by O'Kane, a bill for an act requiring shared-maintenance agreements for jurisdictional transfers of roads and streets occurring after April 1, 1981, effective upon publication with retroactive application.

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

House File 413, by Zimmerman, a bill for an act relating to the practice of veterinary medicine.

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

House File 414, by Fey, a bill for an act to provide that a high school principal is a mobile deputy registrar.

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

House File 415, by Holveck and Van Camp, a bill for an act appropriating moneys from the general fund of the state to the office of the court administrator of the judicial department for allocation to the legal services corporation of Iowa and the legal aid society of Polk county.

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

House File 416, by Mullins and Gronstal, a bill for an act relating to public and confidential governmental records and providing a penalty.

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

SENATE MESSAGES CONSIDERED

Senate File 19, by Lind, a bill for an act relating to the standards for admission to laboratory schools under the control of the state board of regents.

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

Senate File 214, by Mann, a bill for an act to provide that a county waterworks may be financed with general obligations bonds as an essential county purpose.

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

Senate File 231, by Ritsema, a bill for an act allowing sheriffs to provide abstracts of operating records.

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

Senate File 257, by committee on state government, a bill for an act to repeal the fifty percent of sales requirement for Sunday beer and liquor sales.

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

Senate File 266, by Horn, a bill for an act relating to qualifications for area education agency administrators.

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 4, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 118, a bill for an act providing for the discontinuation of a tax levy for, and dissolution of, a unified law enforcement district.

Also: That the Senate has on March 4, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 239, a bill for an act relating to the simultaneous classification of the main and all laterals of a drainage district when a branch or lateral is improved.

Also: That the Senate has on March 4, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 310, a bill for an act relating to the limitation on state bank investments in certain bonds or notes issued by the Iowa Family Farm Development Authority.

K. MARIE THAYER, Secretary

ADOPTION OF HOUSE CONCURRENT RESOLUTION 15

Norland of Worth called up for consideration House Concurrent Resolution 15, relating to a joint session to be held Thursday, April 21, 1983, and inviting the Pioneer Lawmakers, filed on March 1, 1983 and found on page 544 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Norland of Worth, the House was recessed at 9:17 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 181 (Revised) State Government

Relating to certified public accountants, accounting practitioners, and the board of accountancy.

S.B. 270 Judiciary and Law Enforcement

Relating to the penalties for the crime of theft.

S.B. 271 Agriculture

Relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to insure or guarantee loans made by the authority.

S.B. 272 Agriculture

Relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to provide low-interest loans by the authority.

S.B. 273 Energy

Implementing the midwest interstate low-level radioactive waste compact, providing a fee system to support membership, and providing penalties.

S.B. 274 Energy

Providing a residential energy credit against individual state income tax liability, effective upon publication retroactive to January 1, 1983.

S.B. 275 Education

Relating to funds available to educational agencies and students of educational agencies.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly Study Bill 146), providing for the creation, management, and administration of a protected water area system in this state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 135, a bill for an act placing time limitations on the pickup of empty beverage containers by distributors and on the payment of the refund value and reimbursement for the beverage containers.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3225** March 7, 1983.

Committee Bill (Formerly Study Bill 207), providing for the regulation of residential maintenance service companies by the Iowa real estate commission, and providing penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 7, 1983.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 132), to exempt from registration fees and issue official registration plates for any official vehicle leased for a period of sixty days or more by a governmental body.

Fiscal Note is required.

Recommended **Do Pass** March 7, 1983.

Committee Bill (Formerly Study Bill 134), to require manufacturers and importers to provide manufacturer's and importer's certificates in the form prescribed by the department of transportation.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 1983.

AMENDMENTS FILED

H—3225	H.F. 135	Committee on Small Business and Commerce
H—3226	H.F. 378	Spear of Lee
H—3227	H.F. 378	Lloyd-Jones of Johnson

On motion by Norland of Worth, the House adjourned at 11:59 a.m., until 9:00 a.m., Wednesday, March 9, 1983.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day—Thirty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 9, 1983

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

Prayer was offered by the Reverend Dennis Tevis, pastor of the Solon United Methodist Church, Solon.

The Journal of Tuesday, March 8, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Gerald McGowan, Sioux City.

PETITIONS FILED

The following petitions were received and placed on file:

By Brammer of Linn, from thirty-four constituents of the 50th District opposing Senate File 92, an act relating to pari-mutuel betting.

By Grandia of Marion, from fifty-two constituents of the 69th District opposing Senate File 87, an act relating to the operation of a state lottery in Iowa.

INTRODUCTION OF BILLS

House File 417, by committee on transportation, a bill for an act requiring political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

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

House File 418, by Royer and Cooper, a bill for an act relating to the failure to comply with an order for the destruction of noxious weeds and providing a penalty.

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

House File 419, by Hughes, a bill for an act appropriating seven hundred sixty thousand dollars for loans to handicapped low-income individuals for modifying existing living quarters and for administration.

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

House File 420, by Lloyd-Jones and Welden, a bill for an act relating to educational leave and educational assistance for state employees.

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

House File 421, by Chiodo, a bill for an act relating to property tax exemptions in an urban revitalization area for horizontal property regimes.

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

House File 422, by Jochum and Connolly, a bill for an act relating to joint exercise of powers by public agencies for public works and facilities.

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

House File 423, by Davitt, a bill for an act relating to the repayment by convicted indigent offenders of the costs of court-appointed counsel.

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

House File 424, by Hummel, a bill for an act to authorize the establishment of a drainage and levee district revolving fund by the county board of supervisors in any county where one or more districts are under the management and control of that board, and to authorize a one-time assessment on land in the districts for the purpose of establishing the fund.

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

House File 425, by Black, a bill for an act relating to the official title of the chief executive officer of a county conservation board and the compensation of its officers and employees.

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

House File 426, by Sherzan, Running, Woods, Poncy, Davitt, Connors, Parker, Shoultz, Peick, Lloyd-Jones, Renaud, Connolly, Fey, Skow, Buhr, Haverland, Arnould, Halvorson of Webster, Jochum, Van Camp, Rosenberg, Varn, O'Kane, Brammer and Pavich, a bill for an act requiring public improvement construction contracts to have provisions for the payment of at least the prevailing wage for laborers and mechanics.

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

House File 427, by Koenigs and Harbor, a bill for an act relating to liens against crops and livestock to secure payment for fertilizer, feed, seed, petroleum product, and agricultural chemical used in the production of growing crops and livestock and providing for the perfection and enforcement of these liens, and providing for statutory damages.

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

House File 428, by Tabor, a bill for an act permitting the sale of raw milk.

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

House File 429, by Varn, a bill for an act to establish a computer software clearinghouse for educational agencies and to make an appropriation.

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

House File 430, by Connolly, a bill for an act to prohibit funds belonging to institutions of the state board of regents from being invested in firms doing business in or with the Republic of South Africa and providing for divestiture of the funds.

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

House File 431, by Cooper, Muhlbauer and Royer, a bill for an act to provide for the return of delinquent property taxes collected from railroads by the state department of transportation to the respective counties.

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

House File 432, by Diemer, a bill for an act relating to the bonding of liquor control licensees and beer permittees.

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

House File 433, by Running, Pavich, Halvorson of Clayton, Hanson and Tofte, a bill for an act regulating deferred compensation plans for employees of the state of Iowa and requiring that at least seventy-five percent of the deferred amount shall be invested in Iowa.

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

House File 434, by Davitt, a bill for an act authorizing cities to enter agreements to jointly invest public funds.

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

House File 435, by Royer and Grandia, a bill for an act relating to the liability of an auctioneer who sells personal property subject to a security interest.

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

House File 436, by Arnould and Hammond, a bill for an act defining rights of citizens of the state of Iowa inducted or serving in the military forces of the United States.

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

House File 437, by Hummel, a bill for an act to legalize proceedings of the city council of the city of La Porte City relating to the letting of certain contracts.

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

House File 438, 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 **ways and means.**

House File 439, by Chapman, Krewson, Mullins and McKean, a bill for an act relating to access to information contained in library records.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION 8

Skow of Guthrie offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 8

Whereas, The Honorable Raymond Breakenridge of Madison County, Iowa, who was a member of the Fifty-sixth General Assembly, passed away August 4, 1982; *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 Skow of Guthrie, Davitt of Warren and Zimmerman of Dallas.

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, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 108, a bill for an act prohibiting county and city zoning practices and restrictive covenants which include or discriminate against community-based residential homes providing room and board and other services for developmentally disabled persons.

Also: That the Senate has on March 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 5, a bill for an act to require that persons offering continuing education programs approved by professional and occupational licensing boards submit to an audit.

Also: That the Senate has on March 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 188, a bill for an act relating to the birth defects institute within the state department of health.

Also: That the Senate has on March 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 302, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services.

Also: That the Senate has on March 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 325, a bill for an act relating to the services of notices terminating real estate tenancies.

Also: That the Senate has on March 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 327, a bill for an act to provide for annual recommendations by the commission on compensation, salaries, and expenses of elected state officials.

Also: That the Senate has on March 8, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 15, urging the Congress of the United States to forgive the interest charged on federal advances to Iowa's and other states' unemployment trust funds.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 15
By Committee on Labor and Industrial Relations

Whereas, Iowa's unemployment trust fund was insolvent for most of calendar year 1982 and was required to borrow over sixty-three million dollars in interest-bearing advances from the federal government to meet its benefit obligations; and

Whereas, current projections indicate that Iowa's unemployment trust fund could reach a deficit of approximately three hundred eighty-three million dollars by the end of calendar year 1984 if the economy remains weak and if no law changes are enacted; and

Whereas, other states have also experienced unemployment trust fund deficits and have been required to borrow over ten billion dollars from the federal government, including over three billion dollars in interest-bearing advances; and

Whereas, Iowa's federal interest obligations could reach approximately twelve million dollars by October 1, 1983, with many other states' obligations far exceeding that amount; and

Whereas, the federal interest obligations represent an impediment to restoring the solvency of Iowa's trust fund, as well as an impediment to restoring the solvency of other states' trust funds; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Congress of the United States is urged to forgive the interest charged on federal advances to Iowa's and other states' unemployment trust funds, or, as an alternative, to reduce the states' obligations by setting the annual interest rate on

Page 2

both prior and future federal advances at a maximum rate of one percent; and

Be It Further Resolved, That copies of this resolution be transmitted to members of Iowa's congressional delegation, to the president of the United States, and to the president of the United States senate and to the speaker of the United States house of representatives with the request that they lay this resolution before their respective bodies.

Laid over under Rule 25.

SPECIAL PRESENTATION

Mullins of Kossuth escorted to the Speaker's station and presented to the House Mrs. Orval (Jane) Freeman, National President of the Girl Scouts of the United States of America.

Mrs. Freeman, who lives in Ardsley-On-Hudson, New York, was accompanied by 250 Girl Scouts and their leaders from nine Girl Scout Councils across the state who were present in the House galleries in honor of National Girl Scout Week and Iowa Girl Scout Legislative Day.

Mrs. Freeman stated that the Girl Scouts is a service organization and every Girl Scout learns the joy and satisfaction of helping

others when they become involved in the program. The Girl Scout organization is celebrating its seventy-first birthday this month and is the world's largest volunteer organization for girls and women. The organization has grown from eighteen members at its beginning seventy-one years ago to three million members across this nation and eight million members around the world.

The House rose and expressed its welcome to Mrs. Freeman.

On motion by Norland of Worth, the House was recessed at 9:24 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 440, by committee on human resources, a bill for an act relating to the department of social services' right of subrogation under the medical assistance program, medical assistance recipients' freedom of choice, and the membership of the medical assistance advisory council.

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

House File 441, by committee on transportation, a bill for an act to require manufacturers and importers to provide manufacturer's and importer's certificates in the form prescribed by the department of transportation.

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

SENATE MESSAGES CONSIDERED

Senate File 118, by Vande Hoef, a bill for an act providing for the discontinuation of a tax levy for, and dissolution of, a unified law enforcement district.

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

Senate File 239, by Waldstein, Jensen and Priebe, a bill for an

act relating to the simultaneous classification of the main and all laterals of a drainage district when a branch or lateral is improved.

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

Senate File 310, by committee on agriculture, a bill for an act relating to the limitation on state bank investments in certain bonds or notes issued by the Iowa Family Farm Development Authority.

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

Lonergan of Boone in the chair at 1:16 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swearingen of Keokuk, for the afternoon session, on request of Halvorson of Clayton.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 207, a bill for an act relating to the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state, with report of committee recommending amendment and passage was taken up for consideration.

Harbor of Mills offered the following amendment H–3209 filed by the committee on transportation and moved its adoption:

H–3209

Amend Senate File 207, as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 1, line 32 through page 2, line 5, and inserting in lieu thereof the following:

"NEW SUBSECTION. 82. "Remanufactured vehicle" means every vehicle of a type required to be registered and having a gross vehicle weight rating of at least thirty thousand pounds that has been disassembled, resulting in the total separation of the major integral parts and which has been reassembled with those parts

being replaced with new or rebuilt parts. In every instance, a new diesel engine and all new tires shall be installed and shall carry manufacturers' warranties.

Every vehicle shall include, but not be limited to, new or rebuilt component parts consisting of steering gear, clutch, transmission, differential, engine radiator, engine fan hub, engine starter, alternator, air compressor and cab. For purposes of this subsection, "rebuilt" means the replacement of any element of a component part which appears to limit the serviceability of the part. A minimum of twenty thousand dollars shall be expended on each vehicle and the expense must be verifiable by invoices, work orders, or other documentation as required by the department.

The department may establish equipment requirements and a vehicle inspection procedure for remanufactured vehicles. The department may establish a fee for the inspection of remanufactured vehicles not to exceed one hundred dollars for each vehicle inspected."

2. Page 3, lines 28 and 29, by striking the words "federal-aid highways with traffic lanes designed to a width of twelve feet or more" and inserting in lieu thereof the word "highways".

3. Page 4, line 32, by inserting after the period the words "However, the load carried on a truck-semitrailer combination may extend up to two feet beyond the front bumper and up to three feet beyond the rear bumper."

4. Amend the title, line 1, by inserting after the word "to" the words "vehicles by defining a remanufactured vehicle and providing for".

The committee amendment H—3209 was adopted.

Norland of Worth asked and received unanimous consent to suspend Rule 31.8 for the consideration of amendment H—3228 filed by Harbor of Mills from the floor as follows:

H—3228

Amend Senate File 207, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 29 the following new section:

"Sec. . Section 321.1, subsection 69, Code 1983, is amended to read as follows:

69. "Tandem axle" means any two or more consecutive axles whose centers are more than forty inches but not more than ~~eighty-four~~ ninety-six inches apart."

2. Page 7, by inserting after line 1 the following new section:

"Sec. . Section 321.474, unnumbered paragraph 2, Code 1983, is amended to read as follows:

For the purposes of restrictions imposed under this section, a triple axle is any group of three or more consecutive axles where the centers of any consecutive axles are more than forty inches apart and where the centers of the extreme axles are more than ~~eighty-four~~ ninety-six inches apart but not more than one hundred sixty-eight inches apart. Where triple axle restrictions are imposed, the signs erected by the department shall give notice of the restrictions."

3. Renumber sections and correct internal references as are necessary in accordance with this amendment.

On motion by Harbor of Mills amendment H—3228 was adopted.

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. 207)

The ayes were, 95:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz

Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Madam Speaker (Lonergan)	

The nays were, 1:

Lloyd-Jones

Absent or not voting, 4:

Anderson	Connors	Doderer	Swearingen

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

SPECIAL PRESENTATION

Peick of Linn announced to the House, that the Honorable Emil S. Pavich, member of the House representing Pottawattamie County, has been honored by the Girl Scouts of America as "Legislator of the Year". He is the first Iowa Legislator to receive this honor and was presented a plaque by Mrs. Orval Freeman, Girl Scouts National President.

Senate File 116, a bill for an act relating to the certified eligible list for promotion for city civil service, with report of committee recommending passage was taken up for consideration.

Poncy 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. 116)

The ayes were, 59:

Avenson	Black	Blanshan	Branstad
Carter	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Groninga	Groth	Halvorson, R. A.
Halvorson, R. N.	Handorf	Haverland	Hermann
Holveck	Hughes	Jay	Knapp
Koenigs	Krewson	Lageschulte	Maulsby
Menke	Miller	Muhlbauer	Norland

O'Kane	Ollie	Oxley	Parker
Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Royer	Running
Sherzan	Skow	Stueland	Sturgeon
Sullivan	Tabor	Tofte	Van Gerpen
Van Maanen	Varn	Woods	

The nays were, 37:

Anderson	Arnould	Baxter	Bennett
Brammer	Carl	Carpenter	Chapman
Clark	Grandia	Gronstal	Gruhn
Hammond	Hanson	Harbor	Hoffmann-Bright
Hummel	Jochum	Lloyd-Jones	McIntee
McKean	Mullins	Osterberg	Paulin
Renken	Rosenberg	Schnekloth	Schroeder
Shoultz	Spear	Stromer	Swartz
Torrence	Van Camp	Welden	Zimmerman
Madam Speaker (Lonergan)			

Absent or not voting, 4:

Buhr	Connors	Doderer	Swearingen

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

HOUSE FILE 342 DEFERRED

House File 342, a bill for an act establishing an ethanol production incentive fund for purposes of providing a production incentive to ethanol producers in the state on the first one hundred thousand gallons of eligible ethanol produced each year, providing a maximum annual appropriation of five hundred thousand dollars, and providing penalties for false claims filed for production incentives, with reports of committee recommending amendment and passage was taken up for consideration.

Swartz of Marshall offered the following amendment H–3218 filed by the committee on ways and means:

H–3218

Amend House File 342 as follows:
1. Page 1, by striking lines 29 through 32 and inserting in lieu thereof the following: "agricultural products grown in the United States."

2. Page 3, line 11, by inserting after the word "year" the words "for which the incentive is claimed".

3. Page 3, by striking lines 19 through 22 and inserting in lieu thereof the following: "time by the ethanol producer and only for ethanol produced during months that the producer holds a valid ethanol production incentive permit. The ethanol production incentive applies only to the production of ethanol and not to ethanol which is merely blended by an ethanol producer. The incentive payment is subject to".

4. Page 3, line 29, by inserting after the word "production." the following: "Claims shall also contain a proof certification issued by the director of the energy policy council that the ethanol produced has consistently met the applicable minimum proof standard throughout the quarter. The director of the energy policy council shall charge the actual cost of proof testing to the ethanol producer. Moneys received by the director shall be promptly deposited in the general fund of the state."

5. Page 4, line 6, by inserting after the word "production" the words "or anticipated ethanol production".

6. Page 4, line 7, by inserting after the word "production" the words "or anticipated ethanol production".

7. Page 4, line 13, by adding after the word "division." the following: "The director of the energy policy council shall adopt rules pursuant to chapter 17A as necessary to administer the issuing of proof certifications under section 324.104."

Swartz of Marshall offered the following amendment H–3224, to the committee on ways and means amendment H–3218, filed by the committee on finance:

H–3224

Amend the Committee on Ways and Means amendment, H–3218, to House File 342 as follows:

1. Page 1, line 4, by inserting after the word "States" the words "and not distilled for human consumption".

Welden of Hardin rose on a point of order and invoked Rule 32 on House File 342.

The Speaker ruled the point well taken and House File 342 referred to the committee on appropriations.

Speaker Avenson in the chair at 2:10 p.m.

Norland of Worth asked for unanimous consent to suspend Rule 32 on House File 342.

Objection was raised.

Norland of Worth moved that Rule 32 be suspended on House File 342.

A non-record roll call was requested.

The ayes were 53, nays 43.

The motion prevailed and the House resumed consideration of amendment H—3224, to amendment H—3218, and House File 342.

On motion by Swartz of Marshall, the finance committee amendment H—3224 was adopted.

Spear of Lee offered the following amendment H—3229, to the committee on ways and means amendment H—3218, filed by him from the floor and moved its adoption:

H—3229

Amend House Amendment H—3218 to House File 342 as follows:

1. Page 1, by inserting after line 1 the following:

"1. Page 1, by striking lines 2 and 3 and inserting in lieu thereof the following: "sections 3 through 8 as a new division.

Sec. 2. LEGISLATIVE FINDINGS." "

2. By renumbering as required by this amendment.

Amendment H—3229 was adopted.

Swartz of Marshall offered the following amendment H—3232, to the committee on ways and means amendment H—3218, filed by him from the floor and moved its adoption:

H—3232

Amend the Committee on Ways and Means amendment, H—3218, to House File 342 as follows:

1. Page 1, lines 18 and 19, by striking the words "director of the energy policy council" and inserting in lieu thereof the words "Iowa department of agriculture".

2. Page 1, lines 21 and 22, by striking the words "director of the energy policy council" and inserting in lieu thereof the words "Iowa department of agriculture".

3. Page 1, line 24, by striking the word "director" and inserting in lieu thereof the words "Iowa department of agriculture".

4. Page 1, lines 33 and 34, by striking the words "director of the energy policy council" and inserting in lieu thereof the words "Iowa department of agriculture".

Amendment H—3232 was adopted.

On motion by Swartz of Marshall, the committee on ways and means amendment H—3218, as amended, was adopted.

Norland of Worth asked and received unanimous consent that House File 342 be deferred and that the bill retain its place on the calendar.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 11

Davitt of Warren called up for consideration House Concurrent Resolution 11, requesting the bankruptcy court to require contract provision in sale of right of way to provide for east-west access, filed on February 14, 1983 and found on page 408 of the House Journal.

Davitt of Warren offered the following amendment H—3219 filed by the committee on transportation and moved its adoption:

H—3219

Amend House Concurrent Resolution 11 as follows:

1. Page 1, by striking lines 15 through 22 and inserting in lieu thereof the following: "*Senate Concurring,* That the public interest will be served if all traffic generated by industries on the entire East-West Rock Island main line across Iowa is preserved for the operation of the same rail line, and the bankruptcy court is requested to take into account the public interest when making disposition of the property of the Rock Island Railroad; and

Be It Further Resolved, That the bankruptcy court is requested to require that the successful bidder allow trackage rights over the intersection of the north-south, east-west line and five miles either side of that intersection, and that the successful bidder allow originating, terminating, and overhead traffic for any other rail company at a reasonable fee."

The committee amendment H—3219 was adopted placing out of order amendment H—3131 filed by Lloyd-Jones, et al., on February 16, 1983.

On motion by Davitt of Warren, the resolution, as amended, was adopted.

IMMEDIATE MESSAGE
(House Concurrent Resolution 11)

Davitt of Warren asked and received unanimous consent that House Concurrent Resolution 11 be immediately messaged to the Senate.

MOTION TO RECONSIDER
(Senate File 116)

I move to reconsider the vote by which Senate File 116 passed the House on March 9, 1983.

CHIODO of Polk

REREFERRED TO COMMITTEE ON WAYS AND MEANS
(Senate File 92)

The Speaker announced that Senate File 92, recommended amend and do pass on March 8, 1983 by the committee on **state government**, was rereferred to the committee on **ways and means.**

PROOF OF PUBLICATION
(House File 437)

Published copy of House File 437 and verified proof of publication of said bill in The Progress-Review, a weekly newspaper printed and published in La Porte City, Black Hawk County, Iowa,

on February 23, 1983 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Monday, March 7, 1983. Had I been present, I would have voted "aye" on House Files 176, 201, 245, 247, 279, 315, 316, 341, 343, 358, 359, 364 and Senate File 132.

BLANSHAN of Greene

I inadvertently voted "aye" on Senate File 116. I meant to vote "nay."

DE GROOT of Lyon

PRESENTATION OF VISITORS

Grandia of Marion presented to the House the following Foreign Exchange Students: Annie Borstlap, Bloemfontein, South Africa; Kathy Hazelgrove, Sydney, Australia; and Andre Chollet, Quebec, Canada. All are students at Pella Community High School, Pella.

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

Sixteen members of the Blue Devilettes Girls Basketball Team, from West Central Junior-Senior High School, Maynard, accompanied by Coach Gene Klinge, Steve Niggenmeyer and Linnae Krull. By Avenson of Fayette.

Twenty-five members of the Girls Basketball Team from Dubuque Senior High School, Dubuque, accompanied by Al Ronek, Doug Boeckmann and Fred Frick. By Connolly and Jochum of Dubuque.

Fifteen students from Highway Chapel Christian School, Forest City, accompanied by Sharon Roberts. By Branstad of Winnebago.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 276 Natural Resources

Relating to licensed fur dealers and fur buyers.

S.B. 277 Small Business and Commerce

Relating to the collection of dishonored checks, drafts, or other negotiable instruments.

S.B. 278 Human Resources

Relating to the number of instructors at a school of cosmetology.

S.B. 279 Agriculture

To limit the time for filing an action based upon a security interest in farm products to two years from the date of sale of the products.

S.B. 280 Local Government

Providing a registration fee for farm trailers operated on the highways of this state.

S.B. 281 Judiciary and Law Enforcement

Relating to the annual selection of names and addresses of eligible electors from which to select grand jurors, petit jurors, or talesmen.

S.B. 282 Human Resources

Relating to the practice of advanced emergency medical technicians and permitting certain licensed registered nurses to practice the profession of a registered nurse while in an ambulance or rescue vehicle.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 199, a bill for an act to provide that a person who is required by a soil conservation district to institute soil and water conservation practices or erosion control practices may be required to submit to the district three bids from contractors.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3231** March 8, 1983.

Committee Bill (Formerly Study Bill 195), relating to department of agriculture inspection fees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 1983.

Committee Bill (Formerly Study Bills 212 and 213), relating to the collection of the Iowa corn and soybeans assessment at the time corn and soybeans are pledged to secure a loan extended under a federal price support loan program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 1983.

COMMITTEE ON FINANCE

Senate File 15, a bill for an act relating to the provision of health, welfare, and social services under the county health center tax levy.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 52), to provide that city general corporate purpose bonds may be issued upon receiving a majority vote of the total vote on the proposition.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 8, 1983.

Committee Bill (Formerly Study Bill 57), relating to weight restrictions for vehicles on bridges and culverts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 1983.

Committee Bill (Formerly Study Bill 106), relating to the hours of service by fire fighters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 1983.

Committee Bill (Formerly House File 340), relating to the tax levy to support ambulance service in a county.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate File 92, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse and dog races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H–3230** March 8, 1983.

AMENDMENTS FILED

H–3230	S.F. 92	Committee on State Government
H–3231	H.F. 199	Committee on Agriculture
H–3233	H.F. 42	Spear of Lee
H–3234	H.F. 80	Fogarty of Palo Alto Pavich of Pottawattamie Pellett of Cass Baxter of Des Moines Spear of Lee
H–3235	H.F. 42	Fogarty of Palo Alto Pavich of Pottawattamie Pellett of Cass Baxter of Des Moines Spear of Lee
H–3236	H.F. 378	Spear of Lee

H—3237 H.F. 233 Lloyd-Jones of Johnson

On motion by Norland of Worth, the House adjourned at 3:09 p.m., until 9:00 a.m., Thursday, March 10, 1983.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day — Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 10, 1983

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

Prayer was offered by the Reverend James Bearden, pastor of the Church of the Nazarene, Oskaloosa.

The Journal of Wednesday, March 9, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, Newton.

INTRODUCTION OF BILLS

House File 442, by committee on local government, a bill for an act relating to the hours of service by fire fighters.

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

House File 443, by committee on local government, a bill for an act relating to weight restrictions for vehicles on bridges and culverts and subjecting violators to a penalty.

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

House File 444, by committee on transportation, a bill for an act to exempt from registration fees and issue official registration plates for any official vehicle leased for a period of sixty days or more by a governmental body.

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

House File 445, by committee on local government, a bill for an act relating to the tax levy to support ambulance service in a county.

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

House File 446, by committee on natural resources, a bill for an act providing for the creation, management, and administration of a protected water area system in this state.

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 8, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 244, a bill for an act to legalize proceedings taken by the board of supervisors of Pottawattamie county relating to the sale of certain properties.

Also: That the Senate has on March 8, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 336, a bill for an act regulating the activities of loan brokers and providing penalties.

Also: That the Senate has on March 9, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, and providing for an increase in the minimum tax.

Also: That the Senate has on March 9, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 13, relating to regents' bonding for academic buildings.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 5, by Hultman, a bill for an act to require that persons offering continuing education programs approved by professional and occupational licensing boards submit to an audit.

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

Senate File 188, by Schwengels and Gentleman, a bill for an act relating to the birth defects institute within the state department of health.

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

Senate File 302, by committee on judiciary, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services.

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

Senate File 325, by committee on judiciary, a bill for an act relating to the service of notices terminating real estate tenancies.

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

Senate File 327, by committee on state government, a bill for an act to provide for annual recommendations by the commission on compensation, salaries, and expenses of elected state officials.

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

Senate File 386, by committee on finance, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive.

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

SENATE CONCURRENT RESOLUTION 13
By Committee on Appropriations

Whereas, pursuant to section 262A.3, the state board of regents prepared and within seven days after the convening of the Seventieth General Assembly of the State of Iowa, First Session, submitted to the Seventieth General Assembly, First Session, for approval the proposed ten-year building program for each institution of higher learning under the jurisdiction of the board, containing a list of the buildings and facilities which the board deems necessary to further the educational objectives of the institutions, together with an estimate of the cost of each of the buildings and facilities and an estimate of the maximum amount of bonds which the board expects to issue under chapter 262A for each year of the fiscal biennium beginning July 1, 1983, and ending June 30, 1985; and

Whereas, the projects contained in the building program are deemed necessary for the proper performance of the instructional, research, and service functions of the institutions; and

Whereas, section 262A.4 provides that the state board of regents, after authorization by a constitutional majority of each house of the general assembly and approval by the governor, may undertake and carry out at the institutions of higher learning under the jurisdiction of the board any project as defined in chapter 262A; and

Whereas, chapter 262A authorizes the state board of regents to borrow money and to issue and sell negotiable revenue bonds to pay all or any part of

Page 2

the cost of carrying out projects at any institution payable solely from and secured by an irrevocable pledge of a sufficient portion of the student fees and charges and institutional income received by the particular institution; and

Whereas, to further the educational objectives of the institutions, the state board of regents requests authorization to undertake and carry out certain projects at this time and to finance their cost by borrowing money and issuing negotiable bonds under chapter 262A in a total amount not to exceed sixty-three million seven hundred eighty thousand (63,780,000) dollars, the remaining cost of the projects to be financed by capital appropriations or by federal or other funds lawfully available; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the proposed ten-year building program submitted by the state board of regents for each institution of higher learning under its jurisdiction, including the estimate of the maximum amount of bonds which the board expects to issue under chapter 262A during the biennium which commences July 1, 1983, and ends June 30, 1985, is approved as follows:

State University of Iowa	$132,435,000
Iowa State University of Science and Technology	109,060,000
University of Northern Iowa	27,375,000
Total ten-year program 1983-1993	$268,870,000

Be It Further Resolved, That no commitment is

Page 3

implied or intended by approval to fund any portion of the proposed ten-year building program submitted by the state board of regents beyond the portion that is financed and approved by the Seventieth General Assembly, First Session, and the Governor; and

Be It Further Resolved, That during the biennium which commences July 1, 1983, and which ends June 30, 1985, the maximum amount of bonds which the state board of regents expects to issue under chapter 262A is sixty-three million seven hundred eighty thousand (63,780,000) dollars, all or any part of which may be issued during the fiscal year ending June 30, 1984, and if all that amount should not be issued during the fiscal year ending June 30, 1984, any remaining balance may be issued during the fiscal year ending June 30, 1985, and this plan of financing is approved; and

Be It Further Resolved, That the state board of regents is authorized to undertake and carry out the following projects and to pay all or any part of the cost of carrying out the projects by borrowing money and issuing negotiable revenue bonds under the provisions of chapter 262A in a total amount not to exceed sixty-three million seven hundred eighty thousand (63,780,000) dollars:

State University of Iowa

Law building construction and equipment

Cost of issuance of bonds

Iowa State University of Science and Technology

Agronomy addition construction and equipment

Page 4

Cooling tower replacement

Central chiller plant addition
Cost of issuance of bonds
University of Northern Iowa
Communication arts center construction and equipment
Cost of issuance of bonds

Referred to committee on **appropriations.**

PROOF OF PUBLICATION
(House File 244 Published as House File 181)

Published copy of House File 244, published as House File 181 (See House Journal page 358), and verified proof of publication of said bill in the Gazette, a weekly newspaper printed and published in Neola, Pottawattamie County, Iowa on December 30, 1982 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

On motion by Norland of Worth, the House was recessed at 9:17 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

MOTION TO RECONSIDER PREVAILED
(Senate File 207)

Woods of Polk called up for consideration the motion to reconsider Senate File 207, filed by him from the floor, and moved to reconsider the vote by which Senate File 207, a bill for an act relating to vehicles by defining a remanufactured vehicle and providing for the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state, passed the House and was placed on its last reading on March 9, 1983.

A non-record roll call was requested.

The ayes were 62, nays 2.

The motion prevailed and the House reconsidered Senate File 207.

Harbor of Mills moved to reconsider the vote by which amendment H—3228 was adopted by the House on March 9, 1983.

The motion prevailed and the House reconsidered amendment H—3228 found on pages 661 and 662 of the House Journal.

Harbor of Mills asked and received unanimous consent to withdraw amendment H—3228.

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. 207)

The ayes were, 83:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Holveck	Hughes	Hummel	Jay
Koenigs	Lonergan	Maulsby	Menke
Miller	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 5:

Carpenter	Krewson	Lloyd-Jones	McKean
Muhlbauer			

Absent or not voting, 12:

Branstad	Carl	Doderer	Haverland
Hoffmann-Bright	Jochum	Knapp	Lageschulte
McIntee	Mullins	Poncy	Stueland

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

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 9, 1983. Had I been present, I would have voted "aye" on Senate Files 116 and 207.

SWEARINGEN of Keokuk

I was necessarily absent from the House chamber on March 3 and 4, 1983. Had I been present, I would have voted "aye" on House Files 53, 162, 219, 242, 243, 244, 278, 313 and Senate File 158; and "nay" on House File 312.

TORRENCE of Muscatine

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 283 Human Resources

Relating to the establishment of a comprehensive health association and the offering of comprehensive health insurance coverage to residents of this state whose applications for similar health insurance coverage during the last six months have been rejected.

S.B. 284 Transportation

Relating to the staggered registration of vehicles.

S.B. 285 Judiciary and Law Enforcement

Relating to circumstances under which sexual abuse is sexual abuse in the second degree.

S.B. 286 Judiciary and Law Enforcement

Relating to the making of gifts on behalf of a ward out of the assets of a conservator.

S.B. 287 Education

Relating to the filing of petitions for school district reorganization.

S.B. 288 Education

Relating to the mandatory levy of taxes for payment of principal and interest on bonds and providing that the Act is retroactive.

S.B. 289 Human Resources

Relating to the placement of handicapped parking spaces and the enforcement of handicapped parking provisions in the Code and providing a penalty.

S.B. 290 Education

To provide for the establishment of programs for teachers of science and mathematics and to make an appropriation.

S.B. 291 State Government

Permitting city utilities maintaining separate bank accounts to designate a depository bank and include these accounts under the state sinking fund.

S.B. 292 State Government

Relating to eligibility for benefits of certain members of the Iowa public employees' retirement system.

S.B. 293 State Government

Requiring local public agencies and state and local public safety agencies to provide emergency telephone service, creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 287), relating to the filing of petitions for school district reorganization.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1983.

Committee Bill (Formerly Study Bill 255), to require registration with the secretary of state of certain schools that maintain or conduct courses of instruction.

Committee Action: **Failed to Pass** March 9, 1983.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Files 180 and 375 and Study Bill 119), relating to the Iowa commission on the aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 9, 1983.

Committee Bill (Formerly Study Bill 169), relating to the employment of inmates in public service.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 1983.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 131), relating to the refund of prorated registration fees.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 9, 1983.

AMENDMENTS FILED

H–3238	H.F. 206	Spear of Lee
H–3239	H.F. 362	Parker of Jasper
H–3240	S.F. 96	Lloyd-Jones of Johnson
H–3241	S.F. 288	Spear of Lee
H–3242	S.F. 177	Spear of Lee

On motion by Norland of Worth, the House adjourned at 11:59 a.m., until 9:00 a.m., Friday, March 11, 1983.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day—Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 11, 1983

The House met pursuant to adjournment, Speaker pro-tempore, Connors of Polk in the chair.

Prayer was offered by the Reverend Robert G. Ricks, pastor of the Capitol Hill Christian Church, Des Moines.

The Journal of Thursday, March 10, 1983 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Brammer of Linn, from fifty-six constituents of the 50th District opposing Senate File 92, an act relating to pari-mutuel betting in Iowa.

By Grandia of Marion, from fifty-one constituents of the 69th District opposing Senate File 92, which legalizes pari-mutuel betting in the state of Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth and Stromer of Hancock on request of Halvorson of Clayton; Avenson of Fayette and Norland of Worth on request of Sturgeon of Woodbury.

INTRODUCTION OF BILLS

House File 447, by Zimmerman, a bill for an act permitting an adult to execute a directive to order the withholding or withdrawal of life-sustaining procedures during a terminal condition.

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

House File 448, by committee on small business and commerce, a bill for an act providing for the regulation of residential

maintenance service companies by the commissioner of insurance, and providing penalties.

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

House File 449, by Davitt, a bill for an act to include in the processing exemption from the sales, services, and use taxes fuel used by equipment for soil conservation improvements to land or other practices intended to enhance agricultural production, providing for certain refunds, and making the inclusion retroactive to July 1, 1978.

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

House File 450, by Davitt, a bill for an act requiring that the county commissioner of registration designate the principal of each high school in the county, or the principal's designee, as a deputy commissioner of registration.

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

House File 451, by Davitt, a bill for an act relating to the minimum age for school attendance.

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

House File 452, 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 **small business and commerce.**

House File 453, by Harbor, a bill for an act regarding the filing of documents for evidencing a security interest or a lien.

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

House File 454, by Davitt, a bill for an act authorizing a county to provide property tax exemptions for real property on which

improvements have been made in a revitalization area of the unincorporated area of the county and authorizing the county to issue revenue bonds for the revitalization area.

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

House File 455, by Corey, a bill for an act relating to the prepayment of special assessment installments.

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

House File 456, by Running, a bill for an act relating to expenditures for a local, nonprofit historical society or municipally-owned historical projects.

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

House File 457, by Skow, a bill for an act relating to the sale of branded animals, and providing a penalty.

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

House File 458, by Harbor, a bill for an act relating to recovery and restitution for bad checks, drafts, or written instruments and providing a penalty.

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

House File 459, by Harbor and Diemer, a bill for an act relating to transactions exempt from the Iowa uniform securities Act.

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

House File 460, by Harbor, a bill for an act increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program.

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

House File 461, by Zimmerman, a bill for an act relating to teaching comprehensive health education in grades one through twelve.

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

House File 462, by Chapman and Holveck, a bill for an act relating to a court order to examine library records.

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

House File 463, by Holveck and Clark, a bill for an act removing the requirement that a person must be in full possession of the sense of sight to be qualified for juror service.

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

House File 464, by Varn, a bill for an act to establish a teacher excellence commission, to prescribe its duties, and to make an appropriation.

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

House File 465, by Connors, a bill for an act prohibiting the denying of credit or imposing of more onerous credit terms on a person because the person has a fully paid court judgment on the person's credit record.

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

House File 466, by Connolly, Corey and Running, a bill for an act relating to the sale of personal property by cemeteries.

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

House File 467, by Hummel, a bill for an act to provide an increase in annuities for survivors of judges.

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

House File 468, by committee on agriculture, a bill for an act relating to the collection of the Iowa corn and soybeans assessment at the time corn and soybeans are pledged to secure a loan extended under a federal price support loan program.

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

House File 469, by Fey and Copenhaver, a bill for an act to increase the amount of a taxpayer's tax liability the taxpayer may designate to be paid over to the Iowa election campaign fund.

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

House File 470, by Ollie, a bill for an act relating to the granting of franchises by cities.

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

House File 471, by Ollie, a bill for an act to provide that the office of county auditor or county commissioner of elections be open on the Saturday preceding an election.

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

House File 472, 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 473, by Gronstal, a bill for an act relating to the rules adopted by the director of the Iowa law enforcement academy concerning minimum standards of physical fitness of law enforcement officers.

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

House File 474, by Gronstal, a bill for an act to provide for the public disclosure of the private interests of certain public officials and employees and providing a penalty.

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

House File 475, by Varn, a bill for an act creating state park advisory committees, providing for the election of members, and specifying their duties.

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

SENATE MESSAGE CONSIDERED

Senate File 336, by committee on judiciary, a bill for an act regulating the activities of loan brokers and providing penalties.

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

CONSIDERATION OF BILLS

Ways and Means Calendar

Senate File 15, a bill for an act relating to the provision of health, welfare, and social services under the county health center tax levy, with report of committee recommending passage was taken up for consideration.

Oxley 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. 15)

The ayes were, 73:

Arnould	Baxter	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chiodo	Clark
Cochran	Connolly	Cooper	Copenhaver
Corey	Daggett	Davitt	Diemer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond

Hanson	Harbor	Haverland	Hoffmann-Bright
Holveck	Hughes	Jay	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Poncy
Renaud	Rosenberg	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, 18:

Anderson	Bennett	De Groot	Grandia
Handorf	Hermann	Hummel	Lageschulte
Maulsby	Paulin	Peick	Pellett
Renken	Rensink	Royer	Torrence
Van Camp	Van Maanen		

Absent or not voting, 9:

Avenson	Chapman	Doderer	Gronstal
Jochum	Mullins	Norland	Stromer
Sullivan			

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

Regular Calendar

House File 344, a bill for an act relating to the requirement that school districts maintain twelve grades and to provide for tuition payments by those districts not maintaining twelve grades, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 344)

The ayes were, 76:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Carl	Carter	Chapman	Chiodo

Clark	Cochran	Connolly	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Hermann	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lonergan
Maulsby	McKean	Miller	Muhlbauer
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Rensink	Rosenberg	Royer	Running
Schroeder	Sherzan	Skow	Spear
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Van Camp	Van Gerpen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 18:

Buhr	Carpenter	Cooper	Handorf
Hoffmann-Bright	Krewson	Lloyd-Jones	McIntee
Menke	O'Kane	Poncy	Renaud
Renken	Schnekloth	Shoultz	Tofte
Torrence	Van Maanen		

Absent or not voting, 6:

Avenson	Doderer	Mullins	Norland
Stromer	Sullivan		

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

Senate File 177, a bill for an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs, with report of committee recommending amendment and passage was taken up for consideration.

Halvorson of Webster offered the following amendment H–3137 filed by the committee on agriculture:

H–3137

Amend Senate File 177 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 10, by striking the words "forty-eight hours" and inserting in lieu thereof the words "two days, excluding Saturdays and Sundays,".

2. Page 1, line 14, by inserting after the word "intervals" the words ", where physically possible,".
3. Page 1, line 21, by inserting after the word "crossing." the words "The pipeline company representative shall be present during all the excavation, earthwork, or tiling within the marked area."

Poncy of Wapello in the chair at 10:15 a.m.

Copenhaver of Buchanan offered the following amendment H—3147, to the committee amendment H—3137, filed by him:

H—3147

Amend amendment H—3137 to Senate File 177 as amended, passed and reprinted by the Senate as follows:
1. Page 1, by striking lines 3 through 5.

Connors of Polk in the chair at 10:32 a.m.

Copenhaver of Buchanan moved the adoption of amendment H—3147, to the committee amendment H—3137.

A non-record roll call was requested.

The ayes were 51, nays 34.

Amendment H—3147 was adopted.

On motion by Halvorson of Webster, the committee amendment H—3137, as amended, was adopted.

Spear of Lee offered the following amendment H—3242 filed by him:

H—3242

Amend Senate File 177 as amended, passed and reprinted by the Senate, as follows:
1. Page 1, line 5, by inserting after the word "landowner" the words "or tenant".
2. Page 1, line 6, by striking the words "representative of either" and inserting in lieu thereof the words "their representative".
3. Page 1, line 16, by inserting after the word "landowner" the word ", tenant,".

The following amendment H—3243, to amendment H—3242, filed by Spear of Lee from the floor was adopted by unanimous consent:

H—3243

Amend amendment H—3242 to Senate File 177 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 4, by striking the word "or" and inserting ",".

Division of amendment H—3242 was requested as follows: Lines 3 and 4, amendment H—3242A; lines 8 and 9, amendment H—3242B; and lines 5 through 7, amendment H—3242C.

On motion by Spear of Lee, amendment H—3242A, as amended, was adopted.

On motion by Spear of Lee, amendment H—3242B, was adopted.

Spear of Lee asked and received unanimous consent to defer action on Senate File 177 and that the bill retain its place on the calendar. (Amendment H—3242C pending.)

Ways and Means Calendar

House File 119, a bill for an act to revise the duties of assessors relative to the registration and licensing of mobile homes, was taken up for consideration.

Gronstal 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. 119)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Corey	Daggett
Davitt	De Groot	Diemer	Fey

Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, none.

Absent or not voting, 7:

Avenson	Copenhaver	Doderer	Mullins
Norland	Stromer	Sullivan	

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 **Senate File 288**, a bill for an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country in income earned outside of Iowa and making it retroactive, returned to the ways and means calendar pursuant to Rule 36 on March 4, 1983.

Spear of Lee asked and received unanimous consent to withdraw amendment H–3241 filed by him on March 10, 1983.

Osterberg 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. 288)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett

Black	Blanshan	Brammer	Branstad
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

The nays were, 1:

Buhr

Absent or not voting, 8:

Avenson	Doderer	Gruhn	Mullins
Norland	Stromer	Sullivan	Welden

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

Regular Calendar

SENATE FILE 51 SUBSTITUTED FOR HOUSE FILE 300

Skow of Guthrie asked and received unanimous consent to substitute Senate File 51 for House File 300.

Senate File 51, a bill for an act relating to workers' compensation coverage and employers' liability coverage provided to corporate officers who voluntarily reject workers' compensation coverage, was taken up for consideration.

Renaud of Polk in the chair at 11:03 a.m.

Connors of Polk in the chair at 11:19 a.m.

Skow of Guthrie moved that the bill be read a last time 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, 80:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Menke	Miller
Muhlbauer	Ollie	Oxley	Parker
Paulin	Pellett	Renken	Rensink
Rosenberg	Royer	Schroeder	Sherzan
Shoultz	Skow	Spear	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Zimmerman	Mr. Speaker (Connors)

The nays were, 14:

Branstad	Buhr	Halvorson, R. N.	Maulsby
McKean	O'Kane	Osterberg	Pavich
Peick	Poncy	Renaud	Running
Schnekloth	Woods		

Absent or not voting, 6:

Avenson	Mullins	Norland	Stromer
Sullivan	Welden		

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 **Senate File 177,** a bill for an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs, and amendment H–3242C, previously deferred and found on page 692 of the House Journal.

Spear of Lee offered the following amendment H–3244, to amendment H–3242C, filed by him from the floor and moved its adoption:

H–3244

Amend amendment H–3242 to Senate File 177 as follows:

1. Page 1, by striking lines 5 through 7 and inserting in lieu thereof the following:

"1. Page 1, line 6, by striking the words "representative of either" and inserting in lieu thereof the following: "the representative of any one of them".

Amendment H–3244 was adopted.

On motion by Spear of Lee, amendment H–3242C, as amended, 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.

On the question "Shall the bill pass?" (S.F. 177)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke

Miller	Muhlbauer	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stueland	Sturgeon	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Connors)		

The nays were, none.

Absent or not voting, 6:

Avenson	Mullins	Norland	Stromer
Sullivan	Swartz		

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

HOUSE FILES 31 AND 300 WITHDRAWN

Skow of Guthrie asked and received unanimous consent to withdraw House Files 31 and 300 from further consideration by the House.

House File 361, a bill for an act relating to the payment of restitution to certain persons, was taken up for consideration.

Chapman 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. 361)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn

Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker (Connors)		

The nays were, none.

Absent or not voting, 6:

Avenson	Mullins	Norland	Stromer
Sullivan	Welden		

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 the performance of public service as restitution by offenders not reasonably able to pay all or part of court costs, court-appointed attorney's fees, or the expense of a public defender, with report of committee recommending passage was taken up for consideration.

Parker of Jasper moved that the bill be read a last time 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. 4)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer

Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, none.

Absent or not voting, 7:

Avenson	Harbor	Mullins	Norland
Stromer	Sullivan	Welden	

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

REREFERRED TO COMMITTEE ON FINANCE
(Senate File 386)

The Speaker announced that Senate File 386, recommended do pass by the committee on **ways and means** at their meeting on March 10, 1983, was rereferred to the committee on **finance** under House Rule 33.

MOTION TO RECONSIDER
(Senate File 51)

I move to reconsider the vote by which Senate File 51 passed the House on March 11, 1983.

HUMMEL of Benton

REMOVED FROM NONCONTROVERSIAL CALENDAR
(House File 362)

Maulsby of Calhoun requested that, pursuant to Rule 36, House

File 362 be removed from the noncontroversial calendar and returned to the regular calendar.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 9, 1983. Had I been present, I would have voted "aye" on Senate File 207.

McINTEE of Black Hawk

PRESENTATION OF VISITORS

Cochran of Webster presented to the House the Honorable Harold Houston, former member of the House representing Crawford County.

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

One hundred ten sixth grade students from Parkview Elementary School, Ankeny, accompanied by Mrs. Law, Mrs. Steffen, Mr. Devitt and Mr. Stone. By Haverland of Polk.

Thirty-two members of the Girls Basketball Team from Ackley-Geneva High School, Ackley, accompanied by Randy Mills and Allen Jones. By Welden of Hardin.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 294 Finance

Relating to the authorization of the Iowa department of transportation to issue and become obligated for road use tax revenue bonds; to the creation of a highway bond fund in the office of the treasurer of state to be used to pay principal of and interest on the bonds; to the allocation of revenues in the road use tax fund to the highway bond fund, for the annual appropriation of the funds allocated to the highway bond fund for the payment of principal of and interest on the bonds; and to the deposit of the proceeds of the bonds in a separate account within the primary road fund and to the appropriation of the funds to the department of transportation for its use in funding road construction, reconstruction, and improvements, and related costs.

S.B. 295 Education

Creating the Iowa art works project and appropriating funds for grants under the project.

S.B. 296 Energy

Appropriating funds from the general fund to the energy policy council to be used for grants to local governments for energy management programs.

S.B. 297 Human Resources

Relating to guardianship and conservatorship.

SUBCOMMITTEE ASSIGNMENTS

House File 36

State Government: Pavich, Chair; Hammond and Hoffmann-Bright.

House File 115

Small Business and Commerce: Holveck, Chair; Parker and Renken.

House File 130

State Government: Lloyd-Jones, Chair; Hammond and Krewson.

House File 175

State Government: Pavich, Chair; Carl and Swearingen.

House File 204

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

House File 250

State Government: Chapman, Chair; Arnould and Tofte.

House File 283 (Reassigned)

Judiciary and Law Enforcement: Chapman, Chair; Brammer and McKean.

House File 295

Education: Groth, Chair; Daggett, Krewson, Jay and Ollie.

House File 297

State Government: Pavich, Chair; Hammond and Hoffmann-Bright.

House File 302

Natural Resources: Black, Chair; Osterberg and Pellett.

House File 303

Judiciary and Law Enforcement: Tabor, Chair; Corey and Miller.

House File 304

Local Government: Running, Chair; Grandia and Renaud.

House File 307

Natural Resources: Black, Chair; Diemer and Haverland.

House File 311

State Government: Van Maanen, Chair; Gruhn and Woods.

House File 317

State Government: Chapman, Chair; Arnould and Tofte.

House File 318

Small Business and Commerce: Chiodo, Chair; Chapman, Halvorson of Clayton, Schroeder and Swartz.

House File 320

Education: Menke, Chair; Jay and Maulsby.

House File 321

Judiciary and Law Enforcement: Varn, Chair; McIntee and Parker.

House File 322

Local Government: Tofte, Chair; Peick and Spear.

House File 323

State Government: Pavich, Chair; Carl and Swearingen.

House File 324

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 326

Local Government: Lloyd-Jones, Chair; Connors and Torrence.

House File 327

Judiciary and Law Enforcement: Halvorson of Clayton, Chair; Corey and McIntee.

House File 329

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 330

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 331

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 335

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

House File 338

Local Government: Sherzan, Chair; Buhr and Royer.

House File 339

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 345

Judiciary and Law Enforcement: Jay, Chair; Chapman and Paulin.

House File 346

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

House File 347

Agriculture: Copenhaver, Chair; Anderson and Hughes.

House File 349

Agriculture: Zimmerman, Chair; De Groot and Muhlbauer.

House File 352

Education: Shoultz, Chair; Buhr and Handorf.

House File 354

Judiciary and Law Enforcement: Schroeder, Chair; Doderer and McKean.

House File 355

Judiciary and Law Enforcement: Parker, Chair; Jay and Varn.

House File 356

Labor and Industrial Relations: Connors, Chair; Grandia, Halvorson of Clayton, Miller and Ollie.

House File 357

Education: Ollie, Chair; Krewson and Zimmerman.

House File 366

Education: Carl, Chair; Branstad and Carter.

House File 367

Labor and Industrial Relations: Sturgeon, Chair; Connors, Corey, Groth and Halvorson of Clayton.

House File 370

Local Government: Renaud, Chair; Connors and Tofte.

House File 374

Small Business and Commerce: Skow, Chair; Chiodo and Schroeder.

House File 379

Natural Resources: Black, Chair; Pellett and Woods.

House File 380

Transportation: Renaud, Chair; Koenigs and Lageschulte.

House File 382

Local Government: Renaud, Chair; Grandia and Running.

House File 383

State Government: Buhr, Chair; Blanshan and Swearingen.

House File 384

State Government: Hammond, Chair; Blanshan and Krewson.

House File 385

Local Government: Renaud, Chair; Buhr and Grandia.

House File 387

Energy: Sullivan, Chair; Osterberg and Royer.

House File 388

Judiciary and Law Enforcement: Chapman, Chair; Clark and Hammond.

House File 389

Local Government: Connors, Chair; Renaud and Swearingen.

House File 391

Education: Carl, Chair; Hughes and Maulsby.

House File 392

Local Government: Lloyd-Jones, Chair; O'Kane and Torrence.

House File 394

Local Government: O'Kane, Chair; Lloyd-Jones and Torrence.

House File 397

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

House File 399

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 400

Judiciary and Law Enforcement: Jay, Chair; Chapman, Halvorson of Clayton, McIntee and Varn.

House File 401

Judiciary and Law Enforcement: McKean, Chair; Maulsby and Parker.

House File 402

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

House File 403

Natural Resources: Groth, Chair; Stueland and Tabor.

House File 405

State Government: Hanson, Chair; Pavich and Swearingen.

House File 407

Local Government: Running, Chair; Menke and Renaud.

House File 410

Labor and Industrial Relations: Sturgeon, Chair; Connors, Corey, Groth and Halvorson of Clayton.

House File 412

Transportation: Fey, Chair; Miller and Van Camp.

House File 414

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

House File 418

Agriculture: Gruhn, Chair; Halvorson of Webster and De Groot.

House File 422

Small Business and Commerce: Chiodo, Chair; Hoffmann-Bright and Jochum.

House File 425

Local Government: Black, Chair; Cooper and Grandia.

House File 427

Agriculture: Koenigs, Chair; Halvorson of Webster and Handorf.

House File 428

Agriculture: Zimmerman, Chair; Carter and De Groot.

House File 431

Local Government: Lloyd-Jones, Chair; Lageschulte, Renaud, Tofte and Torrence.

House File 432

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 434

Local Government: O'Kane, Chair; Cooper and Renken.

House File 437

Judiciary and Law Enforcement: Paulin, Chair; Corey and Parker.

House File 439

Judiciary and Law Enforcement: Chapman, Chair; Hammond and Miller.

Senate Concurrent Resolution 12

Judiciary and Law Enforcement: Schroeder, Chair; Halvorson of Clayton and McKean.

Senate File 15

Finance: Arnould, Chair; Halvorson of Webster and Krewson.

Senate File 42

Natural Resources: Hanson, Chair; Tabor and Tofte.

Senate File 90

Small Business and Commerce: Gronstal, Chair; Parker and Schroeder.

Senate File 118

Local Government: Menke, Chair; Grandia and Oxley.

Senate File 176

State Government: Swartz, Chair; Blanshan and Swearingen.

Senate File 214

Local Government: Running, Chair; Peick and Torrence.

Senate File 223

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

Senate File 231

Transportation: Fogarty, Chair; Pellett and Renaud.

Senate File 239

Agriculture: Fogarty, Chair; Muhlbauer and Rensink.

Senate File 256

Judiciary and Law Enforcement: Jay, Chair; Chapman and McKean.

Senate File 257

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

Senate File 267

Natural Resources: Groth, Chair; Stueland and Tabor.

Senate File 294

Judiciary and Law Enforcement: Corey, Chair; Chapman and McIntee.

Senate File 310

Agriculture: Skow, Chair; Muhlbauer, Cochran, Rensink and Van Maanen.

Senate File 386

Finance: Doderer, Chair; Connolly and Krewson.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 156

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

Study Bill 214

Judiciary and Law Enforcement: Varn, Chair; McIntee and Parker.

Study Bill 215

Judiciary and Law Enforcement: Holveck, Chair; Haverland and Paulin.

Study Bill 221

Natural Resources: Cooper, Chair; Grandia, O'Kane, Paulin and Skow.

Study Bill 222

Natural Resources: Cooper, Chair; Grandia, O'Kane, Paulin and Skow.

Study Bill 223

Natural Resources: Cooper, Chair; Grandia, O'Kane, Paulin and Skow.

Study Bill 224

Natural Resources: Cooper, Chair; Grandia, O'Kane, Paulin and Skow.

Study Bill 225

Natural Resources: Cooper, Chair; Grandia, O'Kane, Paulin and Skow.

Study Bill 231

Transportation: Pellett, Chair; Cooper and Fogarty.

Study Bill 238

Judiciary and Law Enforcement: Clark, Chair; Maulsby and Miller.

Study Bill 240

State Government: Halvorson of Webster, Chair; Carl, Carpenter, Swartz and Van Maanen.

Study Bill 242

State Government: Gruhn, Chair; Pavich and Rensink.

Study Bill 243

State Government: Pavich, Chair; Hammond and Hoffmann-Bright.

Study Bill 244

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

Study Bill 246

Judiciary and Law Enforcement: Jay, Chair; Brammer and Tabor,

Study Bill 249

Judiciary and Law Enforcement: Chapman, Chair; Corey and Holveck.

Study Bill 251

State Government: Halvorson of Webster, Chair; Carl, Carpenter, Swartz and Van Maanen.

Study Bill 252

Agriculture: Hughes, Chair; Gruhn and Pellett.

Study Bill 253

Judiciary and Law Enforcement: McKean, Chair; Paulin and Rosenberg.

Study Bill 255

Education: Varn, Chair; Hughes and Van Gerpen.

Study Bill 256

Education: Jay, Chair; Daggett and Haverland.

Study Bill 257

Education: Jay, Chair; Daggett and Haverland.

Study Bill 258

Transportation: Miller, Chair; Corey and Fey.

Study Bill 259

Transportation: Renaud, Chair; Fogarty and Lageschulte.

Study Bill 260

Transportation: Fey, Chair; Cochran and Welden.

Study Bill 261

Transportation: Woods, Chair; Harbor and Muhlbauer.

Study Bill 262

Transportation: Muhlbauer, Chair; Miller and Van Maanen.

Study Bill 263

Transportation: Cooper, Chair; Osterberg and Pellett.

Study Bill 264

Transportation: Davitt, Chair; Cochran, Harbor, Lloyd-Jones, Pavich, Pellett and Van Camp.

Study Bill 265

Human Resources: Carl, Chair; Arnould, Copenhaver, Daggett, Fey, Hammond, Hermann, Lonergan and Rensink.

Study Bill 266

Human Resources: Mullins, Chair; Connors, Ollie, Sherzan and Van Camp.

Study Bill 270

Judiciary and Law Enforcement: Miller, Chair; Clark and Tabor.

Study Bill 271

Agriculture: Skow, Chair; Cochran, Muhlbauer, Rensink and Van Maanen.

Study Bill 272

Agriculture: Skow, Chair; Cochran, Muhlbauer, Rensink and Van Maanen.

Study Bill 273

Energy: Mullins, Chair; Baxter, Black, Clark and Sullivan.

Study Bill 274

Energy: Sullivan, Chair; Hughes, Lonergan, Paulin and Torrence.

Study Bill 275

Education: Groth, Chair; Connolly, Daggett, Krewson and Ollie.

Study Bill 276

Natural Resources: Woods, Chair; Fogarty and Pellett.

Study Bill 277

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

Study Bill 278

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 279

Agriculture: Hughes, Chair; Gruhn and Pellett.

Study Bill 280

Local Government: O'Kane, Chair; Connors, Hermann, Lloyd-Jones and Tofte.

Study Bill 281

Judiciary and Law Enforcement: Parker, Chair; Holveck and Paulin.

Study Bill 282

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 283

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 284

Transportation: Woods, Chair; Koenigs and Lageschulte.

Study Bill 285

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 286

Judiciary and Law Enforcement: Jay, Chair; Corey and Maulsby.

Study Bill 291

State Government: Halvorson of Webster, Chair; Pavich and Rensink.

Study Bill 292

State Government: Woods, Chair; Halvorson of Webster and Swearingen.

Study Bill 293

State Government: Halvorson of Webster, Chair; Buhr and Hanson.

Study Bill 294

Finance: Connolly, Chair; Arnould and Halvorson of Clayton.

Study Bill 296

Energy: Rosenberg, Chair; Hughes and Mullins.

Study Bill 302

Finance: Connolly, Chair; Arnould and Krewson.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly Study Bill 187), to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1983.

Committee Bill (Formerly Study Bill 201), providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 10, 1983.

COMMITTEE ON ENERGY

Committee Bill (Formerly House File 265), relating to projects for which industrial development bonds may be issued by a city or county.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 10, 1983.

Committee Bill (Formerly Study Bill 100), which provides that the assessed and taxable value of property shall not increase when property improvements are made for the purpose of generating electricity with a hydroelectric system.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 10, 1983.

Committee Bill (Formerly Study Bill 184), relating to membership on the interagency coordinating council on radiation safety.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1983.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 37, a bill for an act relating to the use of polygraph examinations as a condition of employment and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1983.

COMMITTEE ON LOCAL GOVERNMENT

House File 293, a bill for an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominantly rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3245** March 10, 1983.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly Study Bill 181 Revised), relating to certified public accountants, accounting practitioners, and the board of accountancy.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1983.

Committee Bill (Formerly Study Bill 156), relating to the date of precinct caucuses of the political parties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1983.

COMMITTEE ON WAYS AND MEANS

Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and

inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive.

Fiscal Note is required.

Recommended **Do Pass** March 10, 1983.

AMENDMENTS FILED

H–3245	H.F. 293	Committee on Local Government
H–3246	H.F. 442	O'Kane of Woodbury Connors of Polk
H–3247	H.F. 166	Lloyd-Jones of Johnson Osterberg of Linn
H–3248	H.F. 395	Connors of Polk Sturgeon of Woodbury Corey of Louisa
H–3249	H.F. 293	Varn of Johnson
H–3250	H.F. 135	Spear of Lee
H–3251	H.F. 377	Skow of Guthrie
H–3252	H.F. 191	Zimmerman of Dallas
H–3253	H.F. 362	Schroeder of Pottawattamie
H–3254	S.F. 96	Lloyd-Jones of Johnson

On motion by Arnould of Scott, the House adjourned at 11:48 a.m., until 10:00 a.m., Monday, March 14, 1983.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day—Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 14, 1983

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

Prayer was offered by Reverend Willa Mikowski, pastor of St. Martin's Episcopal Church, Perry.

The Journal of Friday, March 11, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Anderson of Audubon on request of Bennett of Ida; Chapman of Linn, for March 14 and 15, 1983, on request of Jay of Appanoose; Schnekloth of Scott on request of Rensink of Sioux and Connors of Polk on request of Lonergan of Boone.

INTRODUCTION OF BILLS

House File 476, by committee on human resources, a bill for an act relating to the Iowa commission on the aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging.

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

House File 477, by committee on education, a bill for an act to prohibit the filing of school district reorganization petitions with an area education agency within six months after the occurrence of certain conditions.

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

CONSIDERATION OF BILLS
Regular Calendar

House File 377, a bill for an act relating to the financing of public projects through bonds, warrants, special assessments, and other obligations, by amending procedures for the issuance of bonds,

warrants, special assessments, and other obligations, and by providing for the registration of bonds or other obligations, by authorizing interim financing of projects, and making corresponding amendments to the Code, was taken up for consideration.

Skow of Guthrie offered amendment H–3251 filed by him. Division was requested as follows:

H–3251

Amend House File 377 as follows:

H–3251A

1. Page 6, line 8, by striking the word "once" and inserting in lieu thereof the words "twice at unspecified intervals one of which shall be".

H–3251B

2. Page 6, lines 9 and 10, by striking the words "~~located~~ of general circulation" and inserting in lieu thereof the word "located".

Skow of Guthrie moved the adoption of amendment H–3251A.

A non-record roll call was requested.

The ayes were 51, nays 44.

Amendment H–3251A was adopted.

Connolly of Dubuque in the chair at 10:49 a.m.

Skow of Guthrie moved the adoption of amendment H–3251B.

Roll call was requested by Skow of Guthrie and Hughes of Union.

On the question "Shall amendment H–3251B be adopted?"

The ayes were, 22:

Baxter	Blanshan	Cochran	Daggett
Davitt	Grandia	Halvorson, R. N.	Hoffmann-Bright
Hummel	Knapp	Koenigs	Lonergan

Maulsby	McKean	Muhlbauer	Oxley
Renken	Skow	Stueland	Sullivan
Van Maanen	Zimmerman		

The nays were, 73:

Arnould	Avenson	Bennett	Black
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chiodo	Clark
Cooper	Copenhaver	Corey	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Holveck
Hughes	Jay	Jochum	Krewson
Lageschulte	Lloyd-Jones	McIntee	Menke
Miller	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Schroeder	Sherzan	Shoultz
Spear	Sturgeon	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Varn	Welden	Woods
Mr. Speaker (Connolly)			

Absent or not voting, 5:

Anderson	Chapman	Connors	Schnekloth
Stromer			

Amendment H—3251B lost.

O'Kane 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. 377)

The ayes were, 96:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal

Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connolly)

The nays were, none.

Absent or not voting, 4:

Anderson	Chapman	Connors	Schnekloth

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

House File 42, a bill for an act relating to the residence qualification for election to the office of drainage district trustee, with report of committee recommending amendment and passage was taken up for consideration.

Fogarty of Palo Alto offered the following amendment H–3178 filed by the committee on agriculture:

H–3178

Amend House File 42 as follows:

1. Page 1, line 12, by inserting after the word "district." the words "This subsection applies only when the election district is wholly or partially within a city. If more than fifty percent of the area of a district is outside the city limits, a majority of the trustees must be bona fide owners of agricultural land in the district for which they are elected."

Fogarty of Palo Alto offered the following amendment H—3214, to the committee amendment H—3178, filed by Fogarty, et al. Division was requested as follows:

H—3214

Amend amendment H—3178 to House File 42, as follows:

H—3214A

1. Page 1, line 4, by striking the words "or partially".

H—3214B

2. Page 1, by striking lines 5 through 9 and inserting in lieu thereof the following: "within the corporate limits of a city." "

On motion by Fogarty of Palo Alto, amendment H—3214A, to the committee amendment H—3178, was adopted.

On motion by Fogarty of Palo Alto, amendment H—3214B, to the committee amendment H—3178, was adopted.

On motion by Fogarty of Palo Alto, the committee amendment H—3178, as amended, was adopted.

Spear of Lee offered the following amendment H—3233 filed by him and moved its adoption:

H—3233

Amend House File 42 as follows:

1. Page 1, line 7, by striking the words "he or she" and inserting in lieu thereof the words "~~he or she~~ the trustee".

2. Page 1, line 11, by striking the words "he or she" and inserting in lieu thereof the words "the trustee".

Amendment H—3233 was adopted.

Spear of Lee offered the following amendment H—3222 filed by him:

H–3222

Amend House File 42 as follows:

1. Page 1, by inserting after line 12 the following:

"Sec. 2. Section 462.22, Code 1983, is amended to read as follows:

462.22 ELECTIONS–HOW CONDUCTED. After the first election of trustees, the trustees shall act as judges of election; ~~the~~ however, a trustee standing for election shall not serve as a judge and shall be replaced as judge by a person not standing for election who is eligible to be elected as a trustee. The clerk of the board shall act as one of the clerks; and some owner of land in the district shall be appointed by the board to act as another clerk. The trustees shall fill all vacancies in the election board. The result of each election shall be certified to the auditor or the several county auditors if the district is located in more than one county."

Pellett of Cass rose on a point of order that amendment H–3222 was not germane.

The Speaker ruled the point well taken and amendment H–3222 not germane.

Fogarty of Palo Alto offered the following amendment H–3235 filed by Fogarty, et al., and moved its adoption:

H–3235

Amend House File 42 as follows:

1. Page 1, by inserting after line 12 the following:

"3. A stockholder of a family farm corporation as defined in section 172C.1, subsection 8, which owns land in the election district who is a resident of the county in which that district is located or of a county which is contiguous to or corners on that county."

Amendment H–3235 was adopted.

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

On the question "Shall the bill pass?" (H.F. 42)

The ayes were, 92:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schroeder
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connolly)

The nays were none.

Absent or not voting, 8:

Anderson	Branstad	Chapman	Connors
Hermann	Krewson	Schnekloth	Sherzan

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

House File 80, a bill for an act relating to eligibility to serve on the board of trustees of a drainage district, with report of committee recommending amendment and passage was taken up for consideration.

Fogarty of Palo Alto offered the following amendment H–3144 filed by the committee on agriculture and moved its adoption:

H–3144

Amend House File 80 as follows:
1. Page 1, by striking lines 2 and 3 and inserting in lieu thereof the words "trict formed pursuant to this chapter, under the control of a city council,".
2. Amend the title, line 2, by inserting after the word "a" the words "levee or".

The committee amendment H—3144 was adopted.

Fogarty of Palo Alto offered the following amendment H—3234 filed by Fogarty, et al., and moved its adoption:

H—3234

Amend House File 80 as follows:
1. Page 1, by striking lines 14 through 26.

Amendment H—3234 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3168 filed by him on February 25, 1983.

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

On the question "Shall the bill pass?" (H.F. 80)

The ayes were, 95:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Connolly)	

The nays were, none.

Absent or not voting, 5:

Anderson Branstad Chapman Connors
Schnekloth

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 377)

O'Kane of Woodbury asked and received unanimous consent that House File 377 be immediately messaged to the Senate.

House File 135, a bill for an act placing time limitations on the pickup of empty beverage containers by distributors and on the payment of the refund value and reimbursement for the beverage containers, with report of committee recommending amendment and passage was taken up for consideration.

Lonergan of Boone offered the following amendment H—3225 filed by the committee on small business and commerce and moved its adoption:

H—3225

Amend House File 135 as follows:
1. Page 1, line 5, by inserting after the word "weekly" the words ", or when the distributor delivers the beverage product if deliveries are less frequent than weekly,".
2. Title page, by striking lines 1 through 4 and inserting in lieu thereof the following: "An Act establishing time limits for obligations of distributors relating to the pickup of beverage containers."

The committee amendment H—3225 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3250 filed by him on March 11, 1983.

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

On the question "Shall the bill pass?" (H.F. 135)

The ayes were, 93:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connolly)			

The nays were, none.

Absent or not voting, 7:

Anderson	Branstad	Chapman	Connors
Haverland	O'Kane	Schnekloth	

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

House File 408, a bill for an act relating to dissolution and annulment forms and records, was taken up for consideration.

Doderer 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. 408)

The ayes were, 92:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connolly)

The nays were, none.

Absent or not voting, 8:

Anderson	Branstad	Chapman	Connors
Haverland	Muhlbauer	Mullins	Schnekloth

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

Speaker Avenson in the chair at 11:50 a.m.

INTRODUCTION OF BILLS

House File 478, by Hanson, a bill for an act relating to township agreements for fire protection and ambulance services.

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

House File 479, by Maulsby, a bill for an act to repeal state foundation aid to school districts, to provide for the payment of state aid

and for levying property tax by school districts on a uniform per pupil basis, and to provide that the Act takes effect for the school year beginning July 1, 1984.

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

House File 480, by Maulsby, a bill for an act requiring the reporting to the state department of transportation of treatment of certain epileptic patients who are issued licenses to operate motor vehicles.

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

House File 481, by Carter, a bill for an act relating to the deposit and investment of public funds in insured depository financial institutions.

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

House File 482, by Krewson, a bill for an act relating to the establishment of the health insurance advisory council and to the council's consultation with the commissioner of insurance regarding health insurance.

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

House File 483, by Chiodo, a bill for an act relating to the sale of title insurance for real property to a bank, savings and loan association, credit union, or industrial loan company on property for which the institution has made a loan and retains a mortgage.

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

House File 484, by Chiodo, a bill for an act requiring interest to be paid on all deposits or other security required in a contract to guarantee payment of the contract.

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

HOUSE CONCURRENT RESOLUTION 17

By Davitt, Blanshan, Gruhn, Schroeder, Sturgeon, Arnould, Anderson, Grandia, Ollie, Krewson, Spear, Fogarty, Handorf, Menke, Cochran, Skow, Pavich, Parker, Tabor, Fey, Lloyd-Jones, Varn, Daggett, Shoultz, Sherzan, Muhlbauer, Peick, Swartz and Groninga

Whereas, coal slurry pipeline legislation has been introduced in the United States Senate and the United States House of Representatives; and

Whereas, coal slurry pipeline legislation will result in the contamination of water at the end of the coal slurry line; and

Whereas, there will be a derogatory effect on the water resources of Iowa as a result of coal slurry pipeline legislation because water resources will be misused and water aquifers will be lowered; and

Whereas, the viability of the railroad industry will be affected by the coal slurry pipeline legislation; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Iowa General Assembly opposes federal legislation that would promote coal slurry pipelines because of reasons cited in this resolution.

Laid over under Rule 25.

REREFERRED TO COMMITTEE ON WAYS AND MEANS
(House File 293)

The Speaker announced that House File 293, recommended amend and do pass by the committee on **local government** on March 10, 1983, was rereferred to the committee on **ways and means.**

COMMUNICATION FROM SECRETARY OF STATE

March 9, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 220 was published in the Ames Daily Tribune, Ames, Iowa on March 4, 1983 and in the Grinnell Herald-Register, Grinnell, Iowa on March 7, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

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

Forty fourth grade students from Dallas Center-Grimes Community School, Dallas Center, accompanied by Wendy Wallace. By Zimmerman of Dallas.

Seventeen students from Missouri Valley High School, Missouri Valley, accompanied by J. H. Cathcart. By Schroeder of Pottawattamie.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 298 Transportation

Providing for the payment of delinquent property taxes credited to the special railroad facility fund to the respective counties by the Iowa railway finance authority ten years after the receipt of the payment of the delinquent property taxes.

S.B. 299 Transportation

To delete the requirement that a person transporting a mobile home provide a copy of a tax clearance statement to the state department of transportation.

S.B. 300 Transportation

Requiring motor vehicle registration plates to be reflectorized and meet certain standards effective January 1, 1985.

S.B. 301 Judiciary and Law Enforcement

Relating to the authority of the court over certain persons who committed crimes.

S.B. 302 Finance

To establish and fund works relief programs for unemployed Iowans during the 1983-1984 fiscal year, and appropriating funds to the office for planning and programming for the costs of the programs.

S.B. 303 Natural Resources

Repealing the requirement for a study to determine the percentage of motor fuel tax collected that derives from motor fuel used in watercraft.

S.B. 304 Education

To provide for the establishment of work-study programs for needy college students and to make an appropriation.

S.B. 305 Human Resources

Permitting health maintenance organizations to advertise the names of health professionals providing health care services at the health maintenance organization.

S.B. 306 Education

Relating to the private school advisory committee.

S.B. 307 Natural Resources

To appropriate the interest and earnings from the special fund for the Herrick bequest to certain projects.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 14, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 155, an act relating to offensive or dangerous weapons.

Senate File 195, an act to enact the midwest interstate low-level radioactive waste compact.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly Study Bill 216), relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 11, 1983.

AMENDMENTS FILED

H—3255	H.F. 118	Miller of Woodbury
H—3256	H.F. 417	Lloyd-Jones of Johnson

On motion by Norland of Worth, the House adjourned at 11:58 a.m., until 9:00 a.m., Tuesday, March 15, 1983.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day—Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 15, 1983

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

Prayer was offered by Father John Gallagher, pastor of St. Joseph's Catholic Church, Marion.

The Journal of Monday, March 14, 1983 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Shoultz of Black Hawk, from two hundred sixteen constituents urging the Iowa Legislature to amend the Public Employee Relations Act (Chapter 20, Code of Iowa).

By Swearingen of Keokuk, from eight constituents opposing Senate File 92, an act to permit pari-mutuel betting.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton.

INTRODUCTION OF BILLS

House File 485, by Osterberg, Groninga, Oxley and Branstad, a bill for an act reducing the per capita allowance for units of the national guard.

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

House File 486, by Davitt, a bill for an act providing for disposition of overruled appeals of property assessments by the board of review.

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

House File 487, by Davitt, a bill for an act to provide that portable livestock shelters and storage units shall not be assessed and taxed as real property.

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

House File 488, by Hammond, Rosenberg and Varn, a bill for an act to provide for the establishment of work-study programs for needy college students and to make an appropriation.

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

House File 489, by committee on energy, a bill for an act relating to membership on the interagency coordinating council on radiation safety.

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

SPECIAL PRESENTATION

Fogarty of Palo Alto escorted to the Speaker's station and presented to the House the Honorable Dr. Sean McCarthy, T.D., member of the Fianna Fail Party of the House of Parliament from Cashel, County Tipperary Ireland. They were accompanied by Senators Holt and Priebe.

The House rose and extended its welcome. Dr. McCarthy stated that it was a privilege and honor to be addressing the General Assembly and he was grateful to the citizens of Emmetsburg who had invited him to this country. He wished to convey to the members of the General Assembly and through them to the people of Iowa, the affection and love of the Irish people. He expressed the concerns and problems of the people of Ireland and the need to have a united Ireland. Dr. McCarthy is looking forward to attending the annual St. Patrick's Association's activities in Emmetsburg, Iowa.

HOUSE CONCURRENT RESOLUTION 18
By Norland and Stromer

Be It Resolved by the House of Representatives, the Senate Concurring, That when adjournment takes place on Thursday, March 31, 1983, the general assembly will reconvene on Tuesday, April 5, 1983, at 10:00 a.m.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 9:35 a.m., until 11:30 a.m.

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 490, by committee on energy, a bill for an act relating to projects for which industrial revenue bonds may be issued by a city or county.

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

House File 491, by committee on human resources, a bill for an act relating to the employment of inmates in public service.

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

House File 492, by committee on transportation, a bill for an act relating to fees and taxes affecting certain motor vehicles.

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

House File 493, by committee on energy, a bill for an act which provides that the assessed and taxable value of property shall not increase when property improvements are made for the purposes of generating electricity with a hydroelectric system.

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

House File 494, by committee on state government, a bill for an act relating to certified public accountants, accounting practitioners, and the board of accountancy.

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

House File 495, by committee on state government, a bill for an act relating to the date of precinct caucuses of the political parties.

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

House File 496, by Maulsby, a bill for an act relating to dissolution of sanitary sewer districts.

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

House File 497, by Varn, a bill for an act appropriating funds to establish the legislative oversight bureau.

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

House File 498, by Daggett, a bill for an act relating to advisory speed limits contained on advisory speed plates, exit speed signs, and ramp speed signs.

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

House File 499, by Daggett, Stromer and Swearingen, a bill for an act eliminating the dollar limitation on garnishment for purposes of collection on a defaulted Iowa guaranteed student loan.

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

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, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 85, a bill for an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominately rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax.

K. MARIE THAYER, Secretary

SPECIAL PRESENTATION

Welden of Hardin presented to the House Cori Heetland, 1983 Hardin County Pork Queen. Cori is also serving as a House Page.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 308 Energy

Implementing the midwest interstate low-level radioactive waste

compact, imposing a tax on low-level radioactive waste to be paid by generators, and providing penalties.

S.B. 309 Human Resources

Permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous or disturbing behavior.

S.B. 310 Transportation

Providing for the issuance of special registration plates, without cost, to the commander of the recently commissioned battleship USS Iowa which contain the letters and numerals "BB61".

S.B. 311 Agriculture

Relating to the taxation of income of certain sale-leaseback transactions and making the Act retroactive.

S.B. 312 Transportation

To provide immunity for state agencies and employees of the state for acts or omissions where the act or omission was in accordance at the time of the act or omission with a generally accepted standard of design, engineering, or safety.

S.B. 313 State Government

Regarding the recording of financing statements under the uniform commercial code.

S.B. 314 State Government

Relating to the transfer of the motor vehicle enforcement function from the state department of transportation to the department of public safety.

S.B. 315 Agriculture

To establish a moratorium on certain provisions of the chapter on

land preservation and use effective upon publication.

S.B. 316 Agriculture

Imposing a lien on all grain assets held by a grain dealer or grain warehouse for the benefit of claimants on unsatisfied financial obligations concerning the grain assets.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 255) to require registration with the secretary of state of certain schools that maintain or conduct courses of instruction.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 1983.

Committee Bill (Formerly House File 357), to provide additional allowable growth under the Iowa school foundation plan for returning dropouts.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 14, 1983.

COMMITTEE ON FINANCE

Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive.

Fiscal Note is required.

Recommended **Do Pass** March 14, 1983.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly Study Bill 278), relating to the number of instructors at a school of cosmetology.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 282), relating to the practice of advanced emergency medical technicians and permitting certain licensed registered nurses to practice the profession of a registered nurse while in an ambulance or rescue vehicle.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 1983.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly Study Bill 220), to create a public outdoor recreation and resources program, imposing a tax and creating an advisory council.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 303), repealing the requirement for a study to determine the percentage of motor fuel tax collected that derives from motor fuel used in watercraft.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 307), to appropriate the interest and earnings from the special fund for the Herrick bequest to certain projects.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly Study Bill 174), relating to rate or price differentials for health care services charged by a hospital or health care facility and providing injunctive relief and other penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 235), relating to the grounds for denying, suspending, or revoking a registration of securities.

Fiscal Note is required.

Recommended **Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 277), relating to the collection of dishonored checks, drafts, or other negotiable instruments.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 1983.

COMMITTEE ON TRANSPORTATION

Senate File 145, a bill for an act requiring the state department of transportation to dispose of all right-of-way owned by the department and not needed for projects by July 1, 1992.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3257** March 14, 1983.

Senate File 213, a bill for an act providing for the issuance of a single trip permit to transport a mobile home or factory-built structure on the highways of the state where the overall length of the mobile home or factory-built structure and the power unit does not exceed ninety-five feet.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 1983.

Senate File 231, a bill for an act allowing sheriffs to provide abstracts of operating records.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 133), relating to restricting the motor vehicle operating privileges of an individual required to show proof of financial responsibility and relating to the minimum time limit of a certificate of insurance, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 258), exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 1983.

Committee Bill (Formerly Study Bill 262), to eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 1983.

Committee Bill (Formerly House File 121), exempting certain prior holders of minors' school licenses from being required to take a motorcycle education course before being issued operators' licenses.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 1983.

AMENDMENTS FILED

H–3257	S.F. 145	Committee on Transportation
H–3258	H.F. 443	Schroeder of Pottawattamie
H–3259	H.F. 343	Blanshan of Greene
H–3260	H.F. 406	Schroeder of Pottawattamie

On motion by Norland of Worth, the House adjourned at 11:42 a.m., until 9:00 a.m., Wednesday, March 16, 1983.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day — Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 16, 1983

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

Prayer was offered by Reverend James Fauke, pastor of the Ventura United Methodist Church, Ventura.

The Journal of Tuesday, March 15, 1983 was approved.

INTRODUCTION OF BILLS

House File 500, by committee on human resources, a bill for an act relating to the number of instructors at a school of cosmetology.

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

House File 501, by committee on natural resources, a bill for an act to appropriate the interest and earnings from the special fund for the Herrick bequest to certain projects.

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

House File 502, by committee on agriculture, a bill for an act to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license.

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

House File 503, by committee on agriculture, a bill for an act relating to department of agriculture inspection fees.

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

House File 504, by committee on agriculture, a bill for an act providing an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer.

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

House File 505, by committee on human resources, a bill for an act relating to the practice of advanced emergency medical technicians and permitting certain licensed registered nurses to practice the profession of a registered nurse while in an ambulance or rescue vehicle.

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

House File 506, by committee on education, a bill for an act to provide additional allowable growth under the Iowa school foundation plan for returning dropouts.

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

House File 507, by committee on transportation, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

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

House File 508, by committee on transportation, a bill for an act to eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION

Hughes of Union offered the following House Memorial Resolution 9 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 9

Whereas, The Honorable Eugene E. Halling of Adair County, Iowa, who was a member of the Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, and Sixtieth General Assemblies, passed away February 18, 1982; *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 Hughes of Union, Skow of Guthrie and Davitt of Warren.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 157, a bill for an act relating to the allowable speed of school buses.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 151, a bill for an act to prohibit employers from charging applicants a fee as a condition of application or employment.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 166, a bill for an act relating to the authorized number of district judges.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 349, a bill for an act relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 358, a bill for an act relating to the release of defendants and conditions required for bail.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 359, a bill for an act relating to the office or individual charged with supervision of an offender and the preparation of a restitution plan of payment as a condition of probation, work release, or parole.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 360, a bill for an act relating to defining who is entitled to claims for materials furnished on public improvements.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 368, a bill for an act relating to the powers and duties of the department of water, air and waste management.

Also: That the Senate has on March 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 369, a bill for an act to authorize the director of revenue to provide state tax returns and return information to the auditor of state for auditing purposes.

K. MARIE THAYER, Secretary

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Avenson invited the House Pages to the Speaker's station for a special presentation. He thanked them for serving the House so well and for their friendship, urging them to come back and visit the House again and to take part in the legislative process in the future.

Certificates of Excellence for serving with honor and distinction as a House Page during the First Regular Session of the Seventieth General Assembly were presented to the following by Speaker Avenson and Stromer of Hancock:

Shelley Andersen
DeAnne Backes
Angela M. Banowetz
Tammy Campbell
Maria Davitt
Corinne Heetland
Andrea Ingram
Debra Jarr
Gwen Johnson
Chris Markwood
Cindy Messer
Kari Jo Morse
Rhonda Kay Sawyer
Tom R. Shima
Marilyn Stout

The House rose and expressed its appreciation.

HOUSE CONCURRENT RESOLUTION 19

By Parker, Rosenberg, Varn, Sturgeon, Jochum, Halvorson of Webster, Connors, Osterberg, Lloyd-Jones, Buhr, Blanshan, Baxter, Swartz, Sherzan, Peick, Gronstal, Fey, Black, Running, Spear, Arnould, Davitt, Groth, Brammer, Hammond, Tabor, Clark, Haverland, Doderer, Groninga, Renaud, McKean, Jay, Krewson, Carter, Koenigs, Carl, Shoultz, Muhlbauer, Mullins, Oxley, Sullivan, Skow, Gruhn, Fogarty, Connolly, Lonergan, Hughes, Poncy, Ollie, Cooper, and Knapp

Whereas, the Reagan administration has requested one hundred ten million dollars in additional military aid for El Salvador; and

Whereas, the Reagan administration has suggested

if the amount of additional aid is not approved in full, more military advisers and trainers will be sent to El Salvador; and

Whereas, the United States would only be dangerously escalating the war in El Salvador by taking either of these actions; and

Whereas, the opposing forces have requested negotiations with the Salvadoran government; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the Iowa general assembly petitions the president of the United States and the congress of the United States to consider the following:

1. No further military aid, in any form, be granted to El Salvador.

2. An immediate withdrawal of all United States military advisers and trainers from El Salvador.

3. The United States be actively involved in facilitating negotiations between the opposing forces and the Salvadoran government, in order to resolve the conflict peacefully.

Page 2

Be It Further Resolved, That copies of this resolution be transmitted to the president of the United States and to each member of congress, and a response to the resolution be requested from each member of the Iowa congressional delegation and the president.

Laid over under Rule 25.

PASSED ON FILE
(Senate File 188)

The Speaker announced that Senate File 188, previously referred to the committee on **human resources**, was withdrawn from committee and **passed on file.**

SPONSOR ADDED
(House File 233)

Jay of Appanoose requested to be added as a sponsor of House File 233.

PRESENTATION OF VISITORS

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

Fifty-five students from Dubuque Senior, Dubuque Hemstead and Dubuque Wahlert High Schools, Dubuque, accompanied by Marge Reedy. By Connolly, Jochum and Knapp of Dubuque.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 317 Agriculture

To allow an individual income tax credit for health insurance premiums paid by a taxpayer on income earned from self-employment in computing state individual income tax.

S.B. 318 Ways and Means.

To establish a tax study committee to conduct a study of the tax systems in this state to determine their impact on the citizens of this state and making an appropriation.

S.B. 319 Judiciary and Law Enforcement

Relating to reconsideration of sentence.

S.B. 320 Judiciary and Law Enforcement

Relating to certain information and documents containing certain information, involving persons convicted of crimes.

S.B. 321 Judiciary and Law Enforcement

Relating to establishing a sentencing evaluation commission.

S.B. 322 Judiciary and Law Enforcement

Relating to the liability for a subrogation claim for medical care or expenses through a medical assistance program.

S.B. 323 Judiciary and Law Enforcement

Relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company.

S.B. 324 Judiciary and Law Enforcement

Relating to the issuance of a search warrant based upon sworn oral testimony communicated by telephone or other appropriate means.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 172, a bill for an act to eliminate the requirement that vehicles used by licensed grain dealers carry a special identification plate.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 144), to authorize the state soil conservation committee to establish a fund from which to make loans for the establishment of soil and water conservation practices and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly House File 269), relating to the amount of money an individual farmer may be loaned under the soil conservation loan program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 279), to limit the time for filing an action based upon a security interest in farm products to two years from the date of sale of the products.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

COMMITTEE ON ENERGY

Committee Bill (Formerly Study Bill 274), providing a residential energy credit against individual state income tax liability, effective upon publication retroactive to January 1, 1983.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 308), implementing the midwest interstate low-level radioactive waste compact, imposing a tax on low-level radioactive waste to be paid by generators, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 355, a bill for an act to legalize the proceedings of the board of directors of the Indian Hills Community College (Merged Area XV) in the counties of Appanoose, Davis, Decatur, Henry, Iowa, Jefferson, Keokuk, Lee, Lucas, Mahaska, Marion, Monroe, Poweshiek, Van Buren, Wapello, Washington and Wayne and the Wapello county commissioner of elections in connection with an election authorizing the levy of a tax and declaring the validity of said election and the validity of taxes levied pursuant thereto.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

House File 437, a bill for an act to legalize proceedings of the city council of the city of La Porte City relating to the letting of certain contracts.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

Committee Bill (Formerly House File 24), relating to criminal responsibility for the commission of a public offense while insane or mentally ill.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly House File 27), to prohibit the dissemination of false statements regarding candidates for office or ballot issues and providing a civil penalty.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 15, 1983.

Committee Bill (Formerly House File 71), relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

Committee Bill (Formerly House File 167), providing that the possession, transportation and warehousing of fireworks is a serious misdemeanor subject to the prescribed penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 162), relating to the revision of the juvenile victim restitution program and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 185), relating to confiscation of currency in penal or correctional institutions and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 208), relating to children and obscene material and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 214), relating to the rule of perpetuities.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 77, a bill for an act relating to the scope of negotiations in collective bargaining.

Fiscal Note is required.

Recommended **Do Pass** March 15, 1983.

COMMITTEE ON LOCAL GOVERNMENT

House File 338, a bill for an act relating to the selection of official county newspapers.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

House File 425, a bill for an act relating to the official title of the chief executive officer of a county conservation board and the compensation of its officers and employees.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 171), expanding the definition of residence district to include areas outside cities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 177), establishing a community development loan program and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 202), relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 254), relating to liability for punitive damages of officers and employees of municipalities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

COMMITTEE ON STATE GOVERNMENT

House File 35, a bill for an act relating to extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3267** March 15, 1983.

House File 122, a bill for an act to increase the handling charge for beverage containers to two cents.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 15, 1983.

House File 130, a bill for an act prohibiting the treasurer of state from purchasing security issued by or depositing money in a financial institution participating in loans to the government or an agency of the Republic of South Africa.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3261** March 15, 1983.

House File 405, a bill for an act relating to the qualifications for certified public accountants.

Committee Action: **Indefinitely Postponed** March 15, 1983.

Committee Bill (Formerly Study Bill 211), relating to the campaign finance disclosure amendment.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 242), prohibiting claiming, indicating, or implying to be a physician's assistant.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 291), permitting city utilities maintaining separate bank accounts to designate a depository bank and include these accounts under the state sinking fund.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 15, 1983.

Committee Bill (Formerly Study Bill 293), requiring local public agencies and state and local public safety agencies to provide emergency telephone service, creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 15, 1983.

AMENDMENTS FILED

H–3261	H.F. 130	Committee on State Government
H–3262	H.F. 417	Lloyd-Jones of Johnson
H–3263	S.F. 386	Hanson of Delaware
H–3264	S.F. 386	Hanson of Delaware
H–3265	S.F. 51	Hummel of Benton
H–3266	S.F. 92	Hughes of Union
H–3267	H.F. 35	Committee on State Government
H–3268	S.F. 386	McKean of Jones Krewson of Polk
H–3269	S.F. 386	Hummel of Benton
H–3270	S.F. 386	De Groot of Lyon

On motion by Norland of Worth, the House adjourned at 9:32 a.m., until 9:00 a.m., Thursday, March 17, 1983.

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day — Forty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 17, 1983

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

Prayer was offered by Father John Stark, pastor of St. Patrick's Catholic Church, Tama and Toledo.

The Journal of Wednesday, March 16, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lynn Leibel, Council Bluffs.

PETITION FILED

The following petition was received and placed on file:

By Sullivan of Van Buren, from sixteen petitioners of the 62nd District opposing House File 343 and supporting an amendment to forbid the killing of doves.

INTRODUCTION OF BILLS

House File 509, by committee on education, a bill for an act to require registration with the secretary of state of certain schools that maintain or conduct courses of instruction.

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

House File 510, by committee on judiciary and law enforcement, a bill for an act relating to the rule of perpetuities.

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

SENATE MESSAGES CONSIDERED

Senate File 85, by Brown, a bill for an act to authorize the crea-

tion of land use districts which encompass at least twenty thousand acres of predominately rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax.

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

Senate File 151, by Horn, a bill for an act to prohibit employers from charging applicants a fee as a condition of application or employment.

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

Senate File 166, by Doyle, a bill for an act relating to the authorized number of district judges.

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

Senate File 349, by committee on judiciary, a bill for an act relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

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

Senate File 358, by committee on judiciary, a bill for an act relating to the release of defendants and conditions required for bail.

Read first time and **passed on file.**

Senate File 359, by committee on judiciary, a bill for an act relating to the office or individual charged with supervision of an offender and the preparation of a restitution plan of payment as a condition of probation, work release, or parole.

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

Senate File 360, by committee on judiciary, a bill for an act

relating to defining who is entitled to claims for materials furnished on public improvements.

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

Senate File 369, by committee on state government, a bill for an act to authorize the director of revenue to provide state tax returns and return information to the auditor of state for auditing purposes.

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

MESSAGES FROM THE SENATE

The following messages have been received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 15, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 24, a bill for an act relating to procedures in small claims actions.

Also: That the Senate has on March 15, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 202, a bill for an act relating to the coordination of public and private transportation programs and providing pilot projects.

Also: That the Senate has on March 16, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 207, a bill for an act relating to the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state.

Also: That the Senate has on March 15, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 303, a bill for an act requiring nonresidents to register certain vehicles operated by residents and providing a penalty.

Also: That the Senate has on March 17, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 440, a bill for an act relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company as

approved by the United States district court for the northern district of Illinois, eastern division.

K. MARIE THAYER, Secretary

HOUSE CONCURRENT RESOLUTION 20
By Committee on Agriculture

Whereas, farm income declined by more than seventy-one percent between 1978 and 1980 due in large measure to the lowest parity prices since the Great Depression and net individual farm income for 1982 is expected to average less than five thousand dollars according to studies done by the United States Department of Agriculture and the Iowa Department of Agriculture; and

Whereas, Iowa farmland values dropped sixteen percent in 1982 according to a study by Iowa State University of Science and Technology, and this drop in value represents a decrease in net worth to landowners which hinders their ability to obtain financing to continue farming operations; and

Whereas, bankruptcies have increased by three hundred percent in 1982 over 1981, and this increase is having a ripple effect in that eight out of ten jobs in the state of Iowa are dependent upon agriculture; and

Whereas, the state of Iowa is suffering its highest unemployment rate since World War II with eight point three percent of the work force unemployed causing many individuals to lose their homes; and

Whereas, over one thousand concerned Iowans recently attended the legislative public hearings that were held throughout Iowa on the financial crisis in Iowa agriculture; and

Whereas, small businesses are failing at the highest rate since the Great Depression; *Now Therefore,*

Be It Resolved by the House of Representatives,

Page 2

the Senate Concurring, That the Governor is requested to thoroughly review all of the adverse economic impacts that currently exist in the agricultural community and to make a determination whether or not a state of economic emergency exists in Iowa and if the Governor determines not to declare a state of emergency, the Governor shall present to the General Assembly, no later than April 15, 1983, alternative actions that could be taken on the state level which would aid our distressed farm and business communities.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 9:37 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 511, by committee on local government, a bill for an act establishing a community development loan program and making an appropriation.

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

House File 512, by committee on agriculture, a bill for an act to authorize the state soil conservation committee to establish a fund from which to make loans for the establishment of soil and water conservation practices and making an appropriation.

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

House File 513, by committee on state government, a bill for an act relating to the representation of a physician's assistant.

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

House File 514, by committee on small business and commerce, a bill for an act amending the Iowa uniform securities Act, and providing a civil penalty.

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

House File 515, by committee on small business and commerce, a bill for an act relating to the collection of dishonored checks, drafts, or other negotiable instruments.

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

House File 516, by committee on state government, a bill for an act relating to funds deposited by city utilities and combined utility systems and regional libraries, and providing an effective date upon publication.

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

House File 517, by committee on agriculture, a bill for an act to limit the time for filing an action based upon a security interest in farm products to two years from the date of sale of the products.

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

House File 518, by committee on agriculture, a bill for an act relating to the amount of money an individual farmer may be loaned under the soil conservation loan program.

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

House File 519, by committee on small business and commerce, a bill for an act relating to rate or price differentials for health care services charged by a hospital or health care facility and providing injunctive relief and other penalties.

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

SENATE MESSAGE CONSIDERED

Senate File 368, by committee on natural resources, a bill for an act relating to the powers and duties of the department of water, air and waste management.

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

MOTION TO REFER TO WAYS AND MEANS LOST
(House File 422)

Hummel of Benson rose on a point of order and invoked Rule 32 (to refer to committee on ways and means) on House File 422.

The Speaker ruled the point not well taken and Rule 32 not in order, pursuant to Mason's Manual of Legislative Procedure, Section 242.5.

Hummel of Benton moved that House File 422, recommended amend and do pass by the committee on **small business and commerce** on March 16, 1983, be referred to the committee on **ways and means.**

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall House File 422 be referred to the committee on ways and means?"

The ayes were, 32:

Anderson	Bennett	Branstad	Clark
Daggett	De Groot	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hummel	Krewson	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Royer	Schnekloth
Schroeder	Stromer	Stueland	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen

The nays were, 52:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Davitt	Diemer
Doderer	Fogarty	Gronstal	Groth
Gruhn	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Miller	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Mr. Speaker

Absent or not voting, 16:

Carpenter	Connors	Corey	Fey
Groninga	Halvorson, R. N.	Hammond	Hoffmann-Bright
Lageschulte	Lonergan	O'Kane	Rensink
Swearingen	Welden	Woods	Zimmerman

The motion lost.

On motion by Norland of Worth, the House was recessed at 12:13 p.m., until 4:00 p.m.

The House reconvened at 4:36 p.m., Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 520, by committee on natural resources, a bill for an

act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

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

House File 521, by committee on judiciary and law enforcement, a bill for an act relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company as approved by the United States district court for the northern district of Illinois, eastern division.

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

SENATE MESSAGE CONSIDERED

Senate File 440, by committee on judiciary, a bill for an act relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company as approved by the United States district court for the northern district of Illinois, eastern division.

Read first time and **passed on file.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Royer of Page, for the remainder of the day, on request of Van Gerpen of Black Hawk.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 18

Norland of Worth called up for consideration House Concurrent Resolution 18, relating to adjourning March 31, 1983 and reconvening on April 5, 1983, filed on March 15, 1983 and found on page 734 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(House Concurrent Resolution 18)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolution 18 to the Senate.

OBJECTION TO IMMEDIATE CONSIDERATION

McKean of Jones asked for unanimous consent to take up for immediate consideration House Concurrent Resolution 14, encouraging the Department of Transportation to use their funds for repair and maintenance of existing roads rather than for new roads and the widening of two-lane highways into four-lane highways, found on page 426 of the House Journal.

Objection was raised.

McKean of Jones moved to suspend the rules to withdraw House Concurrent Resolution 14 from the committee on transportation for immediate consideration.

Roll call was requested by McKean of Jones and Halvorson of Clayton.

On the question "Shall the motion prevail to immediately consider House Concurrent Resolution 14?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Menke	Mullins	Osterberg
Pellett	Renken	Rensink	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Maanen

The nays were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly

Connors	Copenhaver	Davitt	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 6:

Cooper	Krewson	Oxley	Paulin
Royer	Welden		

The motion lost.

The House stood at ease at 4:50 p.m., until the fall of the gavel.

The House resumed session at 5:58 p.m., Speaker Avenson in the chair.

SPONSOR WITHDRAWN
(House Concurrent Resolution 14)

Hughes of Union requested to be withdrawn as a sponsor of House Concurrent Resolution 14.

PRESENTATION OF VISITORS

Menke of O'Brien presented to the House the Honorable Warren Johnson, former member of the House representing Woodbury County.

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

Members of the Oelwein Basketball Team from Oelwein High School, Oelwein, accompanied by Coaches Hannasch, Heard and Sanders. By Avenson of Fayette.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 219 (Revised) Energy

Relating to differences between rules of the water, air and waste management commission and federal rules and regulations for environmental programs.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House Concurrent Resolution, a concurrent resolution relating to the adverse economic impacts currently existing in agricultural communities and asking the Governor to review.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

COMMITTEE ON EDUCATION

House File 352, a bill for an act to establish teacher centers and to provide for their governance, functions and funding.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3275** March 16, 1983.

House File 464, a bill for an act to establish a teacher excellence commission, to prescribe its duties, and to make an appropriation.

Committee Action: **Failed to Pass** March 16, 1983.

Committee Bill (Formerly House File 270), relating to the issuance of teacher's contracts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 290), to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation.

Fiscal Note is required.

Recommended **Do Pass** March 16, 1983.

COMMITTEE ON HUMAN RESOURCES

House File 271, a bill for an act relating to reporting and study of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3274** March 16, 1983.

Committee Bill (Formerly House File 106), relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 217 and House File 254), requiring registration of certain family day care homes, adopting provisions relating to child abuse in licensed and registered care facilities, and expanding the statutory injunctive authority to group day care homes and registered family day care homes and providing a penalty.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly House File 447), relating to permitting an adult to execute a directive to order the withholding or withdrawal of life-sustaining procedures during a terminal condition including notification of brain function death.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 170), relating to the regulation of radiation machines, radioactive materials and sources of nonionizing radiation and providing a civil penalty for violation.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 230), relating to revising Iowa's aid to dependent children law to conform to federal law and the practices of the department of social services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 305), relating to permitting health maintenance organizations to advertise the names of health professionals providing health care services at the health maintenance organization.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 309), relating to an act permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous or disturbing behavior and when such facility has a program to care for and manage the patient.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly Study Bill 323), relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly Study Bill 149), relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, making an appropriation, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 194), to provide for reciprocity among the states on the license fee for fur buyers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 225), to revise the procedures for the assessment of penalties under the laws regulating coal mining.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 422, a bill for an act relating to joint exercise of powers by public agencies for public works and facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3283** March 16, 1983.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 129), relating to the motor vehicle code by extending the time period under which a vehicle may be operated under a "registration applied for" card, by extending the time period under which a dealer may file an application for registration and certificate of title, and by allowing a dealer under certain circumstances to display for sale a motor vehicle without first having obtained a certificate of title.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 205), to repeal the requirement of a court appearance by a motor vehicle operator charged with speeding in excess of twenty miles per hour over the speed limit.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 231), relating to the registration fees for class "A" motor homes.

Fiscal Note is required.

Recommended **Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 260), relating to the mandatory revocation of the driving privileges of a person convicted of a felony in which a motor vehicle was used in committing the crime.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 284), relating to the staggered registration of vehicles.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 310), providing for the issuance of special registration plates, without cost, to the commander of the recently commissioned battleship USS Iowa which contain the letters and numerals "BB61".

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 312), to provide immunity for state agencies and employees of the state for acts or omissions where the act or omission was in accordance at the time of the act or omission with a generally accepted standard of design, engineering, or safety.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 104), relating to the rate of interest assessed as a penalty for delinquent property taxes and the apportionment of interest and penalties on delinquent property taxes.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 16, 1983.

Committee Bill (Formerly House File 173), relating to filing of an application for an exemption from the property tax for pollution-control equipment.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 39), to remove the sales tax permit fee.

Fiscal Note is required.

Recommended **Do Pass** March 16, 1983.

Committee Bill (Formerly Study Bill 189), to authorize certain persons to file a claim for the property tax credit on behalf of a deceased homeowner.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1983.

AMENDMENTS FILED

H–3271	S.F. 386	Krewson of Polk
H–3272	S.F. 386	Schnekloth of Scott
H–3274	H.F. 271	Committee on Human Resources
H–3275	H.F. 352	Committee on Education
H–3276	H.F. 508	Schnekloth of Scott
H–3277	H.F. 74	Stromer of Hancock McKean of Jones Brammer of Linn
H–3278	H.F. 425	Spear of Lee
H–3279	H.F. 491	Spear of Lee
H–3280	H.F. 501	Sullivan of Van Buren Diemer of Black Hawk
H–3281	S.F. 386	Cochran of Webster
H–3282	S.F. 440	Halvorson of Clayton
H–3283	H.F. 422	Committee on Small Business and Commerce
H–3284	S.F. 386	Doderer of Johnson Tabor of Jackson
H–3285	H.F. 521	Schroeder of Pottawattamie
H–3286	S.F. 386	Doderer of Johnson Tabor of Jackson
H–3287	S.F. 386	Mullins of Kossuth Lageschulte of Bremer Carpenter of Polk

On motion by Norland of Worth, the House adjourned at 6:10 p.m., until 9:00 a.m., Friday, March 18, 1983.

JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day—Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 18, 1983

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

Prayer was offered by the Honorable Andy McKean, state representative from Jones County.

The Journal of Thursday, March 17, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hummel of Benton on request of Schroeder of Pottawattamie; Royer of Page on request of Van Gerpen of Black Hawk.

CONSIDERATION OF BILLS
Regular Calendar

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 521.

Norland of Worth asked for unanimous consent to substitute Senate File 440 for House File 521.

Objection was raised.

House File 521, a bill for an act relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company as approved by the United States district court for the northern district of Illinois, eastern division, was taken up for consideration.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw his objection to the substitution and **Senate File 440,** a bill for an act relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee,

St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company as approved by the United States district court for the northern district of Illinois, eastern division, was substituted for House File 521 and was taken up for consideration.

Renaud of Polk in the chair at 9:23 a.m.

Halvorson of Clayton asked and received unanimous consent to withdraw amendment H—3282 filed by him on March 17, 1983.

Haverland 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. 440)

The ayes were, 89:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renken	Rensink	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Sullivan	Swartz
Swearingen	Tabor	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Renaud)			

The nays were, 8:

Halvorson, R. A.	Krewson	Schnekloth	Stueland
Sturgeon	Tofte	Torrence	Van Camp

Absent or not voting, 3:

Hummel Jochum Royer

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

Ways and Means Calendar

Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive, was taken up for consideration.

The House stood as ease at 9:53 a.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 386 at 10:42 a.m., Speaker Avenson in the chair.

Halvorson of Clayton offered the following amendment H–3269 filed by Hummel of Benton:

H–3269

Amend Senate File 386, as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 422.4, subsection 17, Code 1983, is amended to read as follows:

17. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January ~~1, 1982~~ 14, 1983.

Sec. 2. Section 422.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 19. a. "Solar domestic hot water system" means a system which performs all of the following tasks for the purpose of heating domestic hot water:

(1) Collection of sunlight and conversion to heat energy.

(2) Transporting heat to a potable water supply.

(3) Storing heated water until it is needed for domestic use.

(4) The system can reasonably be expected to remain in operation for at least five years.

b. "Principal residence" means an Iowa residence and shall be determined under principles similar to those applicable to section 1034 of the Internal Revenue Code of 1954.

c. "Qualifying expenditures" means those expenditures incurred and paid by the taxpayer during the tax year for the original installation, including labor and material costs, of a solar domestic hot water system. Federal, state or local grants or subsidies do not qualify as expenditures by the taxpayer.

Sec. 3. Section 422.5, unnumbered paragraph 10, Code 1983, is amended to read as follows:

In addition to all taxes imposed under this division, there is imposed upon every resident and nonresident, including resident and nonresident estates and trusts, of this state a state minimum tax for tax preference items equal to ~~twenty-five~~ fifty percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is one hundred percent in the case of a resident and in the case of a nonresident a percent equal to the ratio of the federal minimum tax on preferences attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preference items attributable to Iowa which shall be based as much as equitably

Page 2

possible on the allocation provisions of section 422.8, subsections 2 and 3. For purposes of this paragraph, "federal minimum tax" means the federal minimum tax for tax preferences computed under sections 55 to 58 of the Internal Revenue Code of 1954 for the tax year.

Sec. 4. Section 422.6, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The tax imposed by section 422.5 and credits for

increasing research activities granted under section 422.10 shall apply to and become a charge against estates and trusts with respect to their taxable income, and the rates shall be the same as those applicable to individuals. The fiduciary shall be responsible for making the return of income for the estate or trust for which ~~he~~ the fiduciary acts, whether ~~such~~ the income ~~be~~ is taxable to the estate or trust or to the beneficiaries thereon.

Sec. 5. Chapter 422, Code 1983, is amended by inserting after section 422.9 the following new section:

NEW SECTION. 422.10 RESEARCH ACTIVITIES CREDIT.

1. The taxes imposed under this division shall be reduced by a state tax credit for increasing research activities in this state. For individuals, the credit shall equal twenty-five percent of the state's apportioned share of the federal credit for increasing research activities. The state's apportioned share of the federal credit for increasing research activities is a percent equal to the ratio of qualified research expenditures in this state to total qualified research expenditures. Where the credit for increasing research activities for partnerships, corporations electing to have its income taxed directly to the shareholders, estates and trusts passes through to the individual taxpayer the provisions for individuals apply to the amount of federal credit passed through. For purposes of this subsection, "federal credit for increasing research activities" means the federal credit for increasing research activities computed under section 44F of the Internal Revenue Code of 1954 not taking into consideration the limitation on the federal credit under section 44F(g) of the Internal Revenue Code of 1954.

Any credit in excess of the tax liability less personal exemption and child care credits provided in section 422.12 for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, a taxpayer may elect

Page 3

to have the overpayment shown on the taxpayer's final, completed return credited to the tax liability for the following taxable year.

2. The taxes imposed under this division shall be reduced by a state credit for expenditures incurred in the installation of solar domestic hot water systems. For residents and part-year residents, the

credit, not to exceed three hundred dollars, shall be equal to fifteen percent of the qualifying expenditures incurred in installing a solar domestic hot water system to be used in the individual's principal residence. The credit cannot exceed three hundred dollars for each principal residence. A credit shall not be allowed if the amount of the credit is less than ten dollars. A credit is not allowed for expenditures made after December 31, 1985.

Any credit in excess of the tax liability less personal exemption and child care credits provided in section 422.12 for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, an individual may elect to have the overpayment shown on the taxpayer's final, completed return credited to the tax liability for the following taxable year.

Sec. 6. Section 422.12, subsection 2, Code 1983, is amended to read as follows:

2. A child and dependent care credit equal to ~~five~~ six percent of the qualifying employment-related expenses and subject to the same limitations provided by section 44A of the Internal Revenue Code of 1954.

Married taxpayers electing to file separate returns or filing separately on a combined return must allocate the child and dependent care credit to each spouse in the proportion that ~~his or her~~ each spouse's respective net income bears to the total combined net income. Taxpayers affected by the allocation provisions of section 422.8 shall be permitted a deduction for the credit only in ~~such~~ the amount as is fairly and equitably allocable to Iowa under rules prescribed by the director.

Sec. 7. Section 422.32, subsection 4, Code 1983, is amended to read as follows:

4. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January ~~1, 1982~~ 14, 1983.

Sec. 8. Section 422.33, subsection 4, Code 1983, is amended to read as follows:

4. In addition to all taxes imposed under this division, there is imposed upon each corporation doing business within the state a state minimum tax for

Page 4

tax preference equal to ~~twenty-five~~ fifty percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is a percent equal to the ratio of the federal minimum tax on preferences attributable to

Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preferences attributable to Iowa which shall be based as much as equitably possible on the allocation and apportionment provisions of subsections 2 and 3. For purposes of this subsection, "federal minimum tax" means the federal minimum tax for tax preferences computed under sections 55 to 58 of the Internal Revenue Code of 1954 for the tax year.

Sec. 9. Section 422.33, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The taxes imposed under this division shall be reduced by a state tax credit for increasing research activities in this state equal to twenty-five percent of the state's apportioned share of the federal credit for increasing research activities. The state's apportioned share of the federal credit for increasing research activities is a percent equal to the ratio of qualified research expenditures in this state to the total qualified research expenditures. For purposes of this subsection, "federal credit for increasing research activities" means the federal credit for increasing research activities computed under section 44F of the Internal Revenue Code of 1954 not taking into consideration the limitation on the federal credit under section 44F(g) of the Internal Revenue Code of 1954.

Any credit in excess of the tax liability for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, a taxpayer may elect to have the overpayment shown on its final, completed return credited to the tax liability for the following taxable year.

Sec. 10. Section 422.60, unnumbered paragraph 2, Code 1983, is amended to read as follows:

In addition to all taxes imposed under this division, there is imposed upon each financial institution doing business within the state a state minimum tax for tax preference items equal to ~~twenty-five~~ fifty percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is a percent equal to the ratio of the federal minimum tax on preferences

Page 5

attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal

minimum tax on preferences attributable to Iowa which shall be based as much as equitably possible on the allocation and apportionment provisions of section 422.63. For purposes of this subsection, "federal minimum tax" means the federal minimum tax for tax preferences computed and paid or payable under sections 55 to 58 of the Internal Revenue Code of 1954, ~~as amended to and including January 1, 1982~~.

Sec. 11. Sections 1 and 7 are retroactive to January 1, 1982 for tax years beginning on or after January 1, 1982. These sections shall also be applicable for tax years beginning prior to January 1, 1982 where the Internal Revenue Code of 1954, as amended up to and including January 14, 1983, provides for certain inclusions or exclusions in computing federal taxable income for a tax year beginning prior to January 1, 1982.

Sec. 12. Sections 2, 3, 4, 5, 6, 8, 9, and 10 are retroactive to January 1, 1983 for tax years beginning on or after January 1, 1983.

Sec. 13. This Act, being deemed of immediate importance, takes effect from and after its publication in The Altoona Herald-Mitchellville Index, a newspaper published in Altoona, Iowa, and in the Ankeny Press Citizen, a newspaper published in Ankeny, Iowa."

Halvorson of Clayton offered the following amendment H—3289, to amendment H—3269, filed by him from the floor and moved its adoption:

H—3289

Amend H—3269 to Senate File 386, as amended, passed and reprinted by the Senate, as follows:

1. Page 5, by adding the following new section after line 11:

"Sec. . The prohibition in section 422.16, subsection 11, paragraph e, on the waiver relating to reasonable cause of the addition to tax for underpayment of the estimated tax payable shall not apply with regard to the 1982 tax year to farmers and fishermen who have elected not to pay estimated taxes during the 1982 tax year and the director shall waive the addition to tax for underpayment of the estimated tax payable for the 1982 tax year to April 30, 1983 for reasonable cause."

2. By renumbering as necessary.

Amendment H—3289 was adopted.

Halvorson of Clayton moved the adoption of amendment H—3269, as amended.

Roll call was requested by Halvorson of Clayton and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3269, as amended, be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Hanson
Harbor	Hermann	Hoffmann-Bright	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 5:

Handorf	Hummel	Muhlbauer	Royer
Welden			

Amendment H—3269, as amended, lost.

Krewson of Polk offered the following amendment H—3271 filed by him:

H–3271

Amend Senate File 386, as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 422.4, subsection 17, Code 1983, is amended to read as follows:

17. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January ~~1, 1982~~ 14, 1983.

Sec. 2. Section 422.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 19. a. "Solar domestic hot water system" means a system which performs all of the following tasks for the purpose of heating domestic hot water:

(1) Collection of sunlight and conversion to heat energy.

(2) Transporting heat to a potable water supply.

(3) Storing heated water until it is needed for domestic use.

(4) The system can reasonably be expected to remain in operation for at least five years.

b. "Principal residence" means an Iowa residence and shall be determined under principles similar to those applicable to section 1034 of the Internal Revenue Code of 1954.

c. "Qualifying expenditures" means those expenditures incurred and paid by the taxpayer during the tax year for the original installation, including labor and material costs, of a solar domestic hot water system. Federal, state or local grants or subsidies do not qualify as expenditures by the taxpayer.

Sec. 3. Section 422.5, subsections 5 and 6, Code 1983, are amended to read as follows:

5. On the fifth, sixth, and seventh thousand dollars of taxable income, or any part thereof, ~~five~~ four and one-half percent.

6. On the eighth and ninth thousand dollars of taxable income, or any part thereof, ~~six~~ five and one-half percent.

Sec. 4. Section 422.5, unnumbered paragraph 10, Code 1983, is amended to read as follows:

In addition to all taxes imposed under this division, there is imposed upon every resident and nonresident, including resident and nonresident estates and trusts, of this state a state minimum tax for tax preference items equal to ~~twenty-five~~ fifty percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal

Page 2

minimum tax is one hundred percent in the case of a resident and in the case of a nonresident a percent equal to the ratio of the federal minimum tax on preferences attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preference items attributable to Iowa which shall be based as much as equitably possible on the allocation provisions of section 422.8, subsections 2 and 3. For purposes of this paragraph, "federal minimum tax" means the federal minimum tax for tax preferences computed under sections 55 to 58 of the Internal Revenue Code of 1954 for the tax year.

Sec. 5. Section 422.6, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The tax imposed by section 422.5 and credits for increasing research activities granted under section 422.10 shall apply to and become a charge against estates and trusts with respect to their taxable income, and the rates shall be the same as those applicable to individuals. The fiduciary shall be responsible for making the return of income for the estate or trust for which ~~he~~ the fiduciary acts, whether ~~such~~ the income ~~be~~ is taxable to the estate or trust or to the beneficiaries thereon.

Sec. 6. Chapter 422, Code 1983, is amended by inserting after section 422.9 the following new section:

NEW SECTION. 422.10 RESEARCH ACTIVITIES CREDIT.

1. The taxes imposed under this division shall be reduced by a state tax credit for increasing research activities in this state. For individuals, the credit shall equal twenty-five percent of the state's apportioned share of the federal credit for increasing research activities. The state's apportioned share of the federal credit for increasing research activities is a percent equal to the ratio of qualified research expenditures in this state to total qualified research expenditures. Where the credit for increasing research activities for partnerships, corporations electing to have its income taxed directly to the shareholders, estates and trusts passes through to the individual taxpayer the provisions for individuals apply to the amount of federal credit passed through. For purposes of this subsection, "federal credit for increasing research activities" means the federal credit for increasing research activities computed under section 44F of the Internal Revenue Code of 1954 not taking into

Page 3

consideration the limitation on the federal credit under section 44F(g) of the Internal Revenue Code of 1954.

Any credit in excess of the tax liability less personal exemption and child care credits provided in section 422.12 for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, a taxpayer may elect to have the overpayment shown on the taxpayer's final, completed return credited to the tax liability for the following taxable year.

2. The taxes imposed under this division shall be reduced by a state credit for expenditures incurred in the installation of solar domestic hot water systems. For residents and part-year residents, the credit, not to exceed three hundred dollars, shall be equal to fifteen percent of the qualifying expenditures incurred in installing a solar domestic hot water system to be used in the individual's principal residence. The credit cannot exceed three hundred dollars for each principal residence. A credit shall not be allowed if the amount of the credit is less than ten dollars. A credit is not allowed for expenditures made after December 31, 1985.

Any credit in excess of the tax liability less personal exemption and child care credits provided in section 422.12 for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, an individual may elect to have the overpayment shown on the taxpayer's final, completed return credited to the tax liability for the following taxable year.

Sec. 7. Section 422.9, subsection 1, Code 1983, is amended to read as follows:

1. An optional standard deduction of fifteen percent of the net income after deduction of federal income tax, not to exceed one thousand two hundred dollars for a married person who files separately, one thousand two hundred dollars for a single person or three thousand dollars for a husband and wife who file a joint return, a surviving spouse as defined in section 2 of the Internal Revenue Code of 1954, or an unmarried head of household as defined in the Internal Revenue Code of 1954. The amount of the federal income tax deducted shall not exceed the amount as computed under subsection 2, paragraph b.

Sec. 8. Section 422.9, subsection 2, paragraph b, Code 1983, is amended by striking paragraph b and inserting in lieu thereof the following:

b. Add the amount of federal income taxes accrued

Page 4

for the tax year. However, the accrued amount shall not exceed fifteen thousand dollars. The amount of federal income taxes accrued for the tax year shall not be adjusted by federal income tax refunds or payments for prior years. Married persons who file separately shall be limited to an accrued federal income tax deduction not to exceed fifteen thousand dollars in total for both spouses. The amount of the federal income tax deduction shall be divided between each spouse by the ratio of federal adjusted gross income of each spouse to total federal adjusted gross income of both spouses unless they can show that another method more accurately reflects the amount of federal income tax to be deducted by each.

Sec. 9. Section 422.12, subsection 2, Code 1983, is amended to read as follows:

2. A child and dependent care credit equal to ~~five~~ six percent of the qualifying employment-related expenses and subject to the same limitations provided by section 44A of the Internal Revenue Code of 1954.

Married taxpayers electing to file separate returns or filing separately on a combined return must allocate the child and dependent care credit to each spouse in the proportion that ~~his or her~~ each spouse's respective net income bears to the total combined net income. Taxpayers affected by the allocation provisions of section 422.8 shall be permitted a deduction for the credit only in ~~such~~ the amount as is fairly and equitably allocable to Iowa under rules prescribed by the director.

Sec. 10. Section 422.32, subsection 4, Code 1983, is amended to read as follows:

4. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January ~~1, 1982~~ 14, 1983.

Sec. 11. Section 422.33, subsection 4, Code 1983, is amended to read as follows:

4. In addition to all taxes imposed under this division, there is imposed upon each corporation doing business within the state a state minimum tax for tax preference equal to ~~twenty-five~~ fifty percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is a percent equal to the ratio of the federal minimum tax on preferences attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preferences attributable to Iowa which shall be based as much as equitably possible on the

Page 5

allocation and apportionment provisions of subsections 2 and 3. For purposes of this subsection, "federal minimum tax" means the federal minimum tax for tax preferences computed under sections 55 to 58 of the Internal Revenue Code of 1954 for the tax year.

Sec. 12. Section 422.33, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The taxes imposed under this division shall be reduced by a state tax credit for increasing research activities in this state equal to twenty-five percent of the state's apportioned share of the federal credit for increasing research activities. The state's apportioned share of the federal credit for increasing research activities is a percent equal to the ratio of qualified research expenditures in this state to the total qualified research expenditures. For purposes of this subsection, "federal credit for increasing research activities" means the federal credit for increasing research activities computed under section 44F of the Internal Revenue Code of 1954 not taking into consideration the limitation on the federal credit under section 44F(g) of the Internal Revenue Code of 1954.

Any credit in excess of the tax liability for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, a taxpayer may elect to have the overpayment shown on its final, completed return credited to the tax liability for the following taxable year.

Sec. 13. Section 422.60, unnumbered paragraph 2, Code 1983, is amended to read as follows:

In addition to all taxes imposed under this division, there is imposed upon each financial institution doing business within the state a state minimum tax for tax preference items equal to ~~twenty-five~~ fifty percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is a percent equal to the ratio of the federal minimum tax on preferences attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preferences attributable to Iowa which shall be based as much as equitably possible on the allocation and apportionment provisions of section 422.63. For purposes of this subsection, "federal minimum tax" means the federal minimum tax for tax preferences computed and paid or payable under sections 55 to 58 of the Internal Revenue Code of 1954, ~~as~~

Page 6

~~amended to and including January 1, 1982~~.

Sec. 14. Sections 1 and 10 are retroactive to January 1, 1982 for tax years beginning on or after January 1, 1982. These sections shall also be applicable for tax years beginning prior to January 1, 1982 where the Internal Revenue Code of 1954, as amended up to and including January 14, 1983, provides for certain inclusions or exclusions in computing federal taxable income for a tax year beginning prior to January 1, 1982.

Sec. 15. Sections 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, and 13 are retroactive to January 1, 1983 for tax years beginning on or after January 1, 1983.

Sec. 16. This Act, being deemed of immediate importance, takes effect from and after its publication in The Altoona Herald-Mitchellville Index, a newspaper published in Altoona, Iowa, and in the Ankeny Press Citizen, a newspaper published in Ankeny, Iowa."

Krewson of Polk offered the following amendment H—3290, to amendment H—3271, filed by him and McKean of Jones from the floor and moved its adoption:

H—3290

Amend the amendment, H—3271, to Senate File 386 as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 3, line 50 through page 4, line 14 and inserting in lieu thereof the following:

"b. Add the amount of federal income taxes paid for the tax year as a result of withholding and estimated tax payments. Also add the amount of federal income taxes paid and additional federal income taxes paid during the tax year for a prior year. However, the amount of federal income taxes deducted for the tax year shall not exceed fifteen thousand dollars, except that any additional taxes paid for tax years ending prior to January 1, 1983 shall not be subject to the fifteen thousand dollar limitation. Subtract the amount of federal income tax refunds received for the tax year to the extent that the federal income tax was deducted in a previous year. Married persons who file separately shall be limited to a federal income tax deduction for federal income taxes paid during the tax year not to exceed fifteen thousand dollars for each spouse."

2. Page 6, by inserting after line 1 the follow-

ing new section:
"Sec. . The prohibition in section 422.16, subsection 11, paragraph e, on the waiver relating to reasonable cause of the addition to tax for underpayment of the estimated tax payable shall not apply with regard to the 1982 tax year to farmers and fishermen who have elected not to pay estimated taxes during the 1982 tax year and the director shall waive the addition to tax for underpayment of the estimated tax payable for the 1982 tax year to April 30, 1983 for reasonable cause."
, 3. By renumbering as necessary.

Amendment H—3290 was adopted.

Krewson of Polk moved the adoption of amendment H—3271, as amended.

Roll call was requested by Krewson of Polk and Doderer of Johnson.

On the question "Shall amendment H—3271, as amended, be adopted?"

The ayes were, 29:

Branstad	Carter	Clark	Daggett
Diemer	Grandia	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Krewson	McKean
Menke	Mullins	Osterberg	Paulin
Renken	Rensink	Stromer	Stueland
Sturgeon	Swearingen	Tofte	Torrence
Van Camp			

The nays were, 65:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Buhr	Carl
Carpenter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Davitt	De Groot	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Haverland
Hughes	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	Miller	Norland
O'Kane	Ollie	Oxley	Parker

Pavich	Peick	Pellett	Poncy
Renaud	Rosenberg	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Sullivan	Tabor	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 6:

Black	Hummel	Muhlbauer	Royer
Swartz	Welden		

Amendment H—3271, as amended, lost.

Doderer of Johnson offered the following amendment H—3284 filed by her and Tabor of Jackson and moved its adoption:

H—3284

Amend Senate File 386 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 25 through 28.

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

A non-record roll call was requested.

The ayes were 58, nays 26.

Amendment H—3284 was adopted.

Hanson of Delaware offered the following amendment H—3264 filed by him and moved its adoption:

H—3264

Amend Senate File 386 as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by striking lines 25 through 31.

2. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Roll call was requested by Hanson of Delaware and Stromer of Hancock.

On the question "Shall amendment H—3264 be adopted?"

The ayes were, 37:

Anderson	Bennett	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 4:

Branstad	Hummel	Muhlbauer	Royer

Amendment H—3264 lost.

Cochran of Webster offered the following amendment H—3281 filed by him:

H—3281

Amend Senate File 386, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, by inserting after line 31 the following new section:

"Sec. 30. Section 422.7, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 18. If the taxpayer elects to receive the benefits of sections 422.120 through

422.124, add the amount equal to the excess of the amount excluded from federal gross income under section 911 and subpart D of part III of subchapter N of the Internal Revenue Code of 1954 over the deductions which would have been properly allowable to or chargeable against such amount but for the exclusion of that amount from federal gross income."

2. Page 7, by inserting after line 33 the following new sections:

"Sec. 31. Chapter 422, Code 1983, is amended by adding sections 32 through 36 as a new division.

Sec. 32. NEW SECTION. 422.120 LIMITATION ON TAX. Notwithstanding the amount of tax determined in accordance with section 422.5, if an eligible individual has averagable income exceeding three thousand dollars for the computation year, then the tax imposed by section 422.5 for the computation year which is attributable to averagable income shall be five times the increase in tax under that section between the tax on the sum of twenty percent of the averagable income plus one hundred twenty percent of the average base period income and the tax on one hundred twenty percent of the average base period income.

Sec. 33. NEW SECTION. 422.121 DEFINITIONS. For the purposes of this division, unless the context otherwise requires:

1. "Averagable income" means the amount by which Iowa taxable income for the computation year exceeds one hundred twenty percent of average base period income. In computing averagable income, taxable income for the computation year shall be reduced, to the extent included in taxable income, by the amount to which section 72(m) (5) of the Internal Revenue Code of 1954 applies and the amounts included in the income of a beneficiary of a trust under section 667(a) of the Internal Revenue Code of 1954.

2. "Average base period income" means one-fourth of the sum of the base period incomes for the base period.

3. "Base period income" for a tax year means the Iowa taxable income for that year increased, to the

extent the amount would have been included in taxable income, by an amount equal to the excess of the amount excluded from federal gross income under section 911 and subpart D of part III of subchapter N of the Internal Revenue Code of 1954, over the deductions which would have been properly allocable to or

chargeable against that amount but for the exclusion of that amount from federal gross income; and decreased, to the extent included in taxable income, by the amounts included in the income of a beneficiary of a trust under section 667(a) of the Internal Revenue Code of 1954.

4. "Computation year" means the tax year for which the taxpayer chooses the benefits of this division.

5. "Base period" means the four tax years immediately preceding the computation year.

6. "Base period year" means any of the four tax years immediately preceding the computation year.

7. Except as otherwise provided in this subsection, "eligible individual" means an individual who is subject to the tax imposed by division II of this chapter for the computation year. An individual is not an eligible individual for the computation year if, for any base period year, the individual and the individual's spouse furnished less than one-half of the individual's support except that the individual is an eligible individual in any of the following cases:

a. If the computation year ends after the individual attained age twenty-five and, during at least four of the individual's tax years beginning after the individual attained age twenty-one and ending with the computation year, the individual was not a full-time student.

b. If more than one-half of the individual's Iowa taxable income for the computation year is attributable to work performed by the individual in substantial part during two or more of the base period years.

c. If the individual computes the individual's tax on the basis of joint income of husband and wife for the computation year and not more than twenty-five percent of the aggregate Iowa net income of the individual and the individual's spouse for the computation year is attributable to the individual.

8. "Student" means, with respect to a tax year, an individual who during each of five calendar months during the tax year was a full-time student at an educational organization described in section 170(b)(1)(A)(ii) of the Internal Revenue Code of 1954, or was pursuing a full-time course of institutional

Page 3

on-farm training under the supervision of an accredited agent of such an educational organization or of a state or a political subdivision of a state.

9. "Net income", "taxable income", "tax year" and "Internal Revenue Code of 1954" have the same meaning as defined in section 422.4.

Sec. 34. NEW SECTION. 422.122 ELECTION. This division applies to a tax year only at the taxpayer's election. The election may be made or changed at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by division II of this chapter for the tax year.

Sec. 35. NEW SECTION. 422.123 MARRIED TAXPAYERS.

1. For purposes of this division, the base period income of an individual for any base period year shall not be less than fifty percent of the base period income which would result from combining his or her income and deductions for that year with the greater of the income and deductions for that year of the individual who is his or her spouse for the computation year or with the income and deductions for that year of the individual who was his or her spouse for that base period year. However, this subsection does not apply for a base period year if, for the computation year, the individual files with his or her spouse a joint return for Iowa income tax purposes or files a federal return as a surviving spouse and the individual was not married to any other spouse for that base period year.

2. In the case of a joint return for Iowa income tax purposes, the three thousand dollar figure specified in section 2 of this Act shall be applied to the aggregate averagable income.

3. For purposes of this division, section 143(a) of the Internal Revenue Code of 1954 applies in determining whether an individual is married for any tax year.

Sec. 36. NEW SECTION. 422.124 RETURN NOT MADE IN BASE YEAR. This division applies to the tax year even though the taxpayer electing the benefits of this division was not required to make and sign an Iowa income tax return for one or more tax years during the base period. The average base period income for that taxpayer shall be determined as if that taxpayer had been required to make and sign an Iowa income tax return for the tax years in the base period."

3. Page 8, line 17, by striking the word and figure "and 16" and inserting in lieu thereof the

Page 4

word and figures "16, 30, 31, 32, 33, 34, 35, and 36".

4. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Krewson of Polk rose on a point of order that amendment H—3281 was not germane.

The Speaker ruled the point well taken and amendment H—3281 not germane.

Senate File 386 was temporarily deferred.

REREFERRED TO COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Jay of Appanoose asked and received unanimous consent to rerefer House File 329 and Study Bills 285, 301 and 320, (recommended amend and do pass by the committee on judiciary and law enforcement on March 17, 1983) to the committee on **judiciary and law enforcement.**

On motion by Norland of Worth, the House was recessed at 12:02 p.m., until 12:45 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 522, by committee on human resources, a bill for an act permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous or disturbing behavior when such facility has a program to care for and manage the patient.

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

House File 523, by committee on natural resources, a bill for an act to provide for reciprocity among the states on the license fee for fur buyers.

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

House File 524, by committee on judiciary and law enforcement, a bill for an act related to confiscation of currency in penal or correctional institutions and providing a penalty.

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

House File 525, by committee on ways and means, a bill for an act to authorize certain persons to file a claim for the property tax credit on behalf of a deceased homeowner.

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

House File 526, by committee on judiciary and law enforcement, a bill for an act relating to criminal responsibility for the commission of a public offense while insane.

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

House File 527, by committee on ways and means, a bill for an act to remove the sales tax permit fee.

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

House File 528, by committee on judiciary and law enforcement, a bill for an act relating to the revision of the juvenile victim restitution program.

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

House File 529, by committee on state government, a bill for an act requiring local public agencies and state and local public safety agencies to provide emergency telephone service, creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly.

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

House File 530, by committee on local government, a bill for an act expanding the definition of residence district to include areas outside cities.

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

House File 531, by committee on natural resources, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining.

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

House File 532, by committee on education, a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation.

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

House File 533, by committee on local government, a bill for an act relating to the acceptance and use by cities of federal assistance for economic development projects.

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

House File 534, by committee on human resources, a bill for an act requiring registration of certain family day care homes, adopting provisions relating to child abuse in licensed and registered care facilities, and expanding the statutory injunctive authority to group day care homes and registered family day care homes, and providing a penalty.

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

House File 535, by committee on transportation, a bill for an act to provide immunity for the state of Iowa, employees of the state, local government, and employees of local government, for acts or omissions where the act or omission was in accordance at the time of the act or omission with a generally accepted standard of design, engineering, or safety.

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

House File 536, by committee on energy, a bill for an act appropriating funds to the energy policy council for grants to local governments for energy management programs.

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

SENATE MESSAGES CONSIDERED

Senate File 24, by Doyle, a bill for an act relating to procedures in small claims actions.

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

Senate File 202, by Coleman, a bill for an act relating to the coordination of public and private transportation programs and providing pilot projects.

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

Senate File 303, by Miller of Des Moines, a bill for an act requiring nonresidents to register certain vehicles operated by residents and providing a penalty.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Muhlbauer of Crawford, for the day, on request of Cochran of Webster; Daggett of Taylor on request of Van Maanen of Mahaska and Tofte of Winneshiek on request of Bennett of Ida, both for the remainder of the day.

BUSINESS PENDING

The House resumed consideration of **Senate File 386,** a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive.

Schroeder of Pottawattamie asked for unanimous consent to suspend the rules to consider amendment H—3281 found on pages 787 through 790 of the House Journal.

Objection was raised.

Schroeder of Pottawattamie moved that the rules be suspended to consider amendment H–3281.

Roll call was requested by Bennett of Ida and Stromer of Hancock.

Rule 76 was invoked.

On the question "Shall the rules be suspended to consider amendment H–3281?"

The ayes were, 35:

Anderson	Bennett	Branstad	Clark
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 7:

Carpenter	Carter	Daggett	Hummel
Muhlbauer	Royer	Tofte	

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Corey of Louisa, for the remainder of the day, on request of Van Gerpen of Black Hawk.

Hanson of Delaware offered the following amendment H–3263 filed by him and moved its adoption:

H–3263

Amend Senate File 386, as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 2, line 32 through page 3, line 9.

2. Page 3, by striking lines 16 through 32.

3. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Roll call was requested by Hanson of Delaware and Halvorson of Clayton.

On the question "Shall amendment H–3263 be adopted?"

The ayes were, 30:

Anderson	Bennett	Branstad	Clark
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Hermann	Hoffmann-Bright
Lageschulte	Maulsby	McIntee	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Schnekloth	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 61:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McKean
Miller	Norland	O'Kane	Ollie

Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 9:

Carpenter	Corey	Daggett	Harbor
Hummel	Muhlbauer	Royer	Schroeder
Tofte			

Amendment H—3263 lost.

McKean of Jones offered the following amendment H—3268 filed by him and Krewson of Polk:

H—3268

Amend Senate File 386 as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, line 21, by striking the word "twenty-seven" and inserting in lieu thereof the word "fifteen".

2. Page 3, line 25, by striking the word "twenty-seven" and inserting in lieu thereof the word "fifteen".

Connors of Polk in the chair at 1:35 p.m.

McKean of Jones moved the adoption of amendment H—3268.

Roll call was requested by McKean of Jones and Stromer of Hancock.

Rule 76 was invoked.

On the question "Shall amendment H—3268 be adopted?"

The ayes were, 23:

Branstad	Carter	Clark	Diemer
Grandia	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Krewson	McKean	O'Kane
Paulin	Renken	Schroeder	Stromer
Sturgeon	Torrence	Van Camp	

The nays were, 69:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Buhr	Carl	Chapman	Chiodo
Cochran	Connolly	Cooper	Copenhaver
Davitt	De Groot	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Hammond	Haverland	Hughes
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	Menke	Miller	Mullins
Norland	Ollie	Osterberg	Parker
Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Rosenberg	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stueland	Sullivan	Swartz
Swearingen	Tabor	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

Absent or not voting, 8:

Carpenter	Corey	Daggett	Hummel
Muhlbauer	Oxley	Royer	Tofte

Amendment H–3268 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carpenter of Polk, for a portion of the afternoon session, on request of Stromer of Hancock.

Schnekloth of Scott offered the following amendment H–3272 filed by him and moved its adoption:

H–3272

Amend Senate File 386 as amended, passed and reprinted by the Senate, as follows:

1. Page 3, by striking lines 21 through 23 and inserting in lieu thereof the words "twenty-seven thousand dollars. Married".

Roll call was requested by Schnekloth of Scott and Avenson of Fayette.

On the question "Shall amendment H—3272 be adopted?"

The ayes were, 33:

Anderson	Bennett	Branstad	Clark
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hoffmann-Bright
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 59:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Hermann	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Ollie	Osterberg
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

Absent or not voting, 8:

Carpenter	Corey	Daggett	Hummel
Muhlbauer	Oxley	Royer	Tofte

Amendment H—3272 lost.

Mullins of Kossuth offered the following amendment H—3287 filed by Mullins, et al. :

H—3287

Amend Senate File 386 as amended, passed and reprinted by the Senate, as follows:

1. Page 3, by striking lines 26 through 32 and inserting in lieu thereof the words "thousand dollars for each spouse."

Speaker Avenson in the chair at 2:10 p.m.

Mullins of Kossuth moved the adoption of amendment H—3287.

Roll call was requested by Mullins of Kossuth and Lageschulte of Bremer.

On the question "Shall amendment H—3287 be adopted?"

The ayes were, 34:

Anderson	Bennett	Branstad	Chapman
Clark	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Krewson	Lageschulte
Maulsby	McIntee	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	McKean	Miller	Norland
O'Kane	Ollie	Osterberg	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 8:

Carpenter	Corey	Daggett	Hummel
Muhlbauer	Oxley	Royer	Tofte

Amendment H—3287 lost.

Doderer of Johnson offered the following amendment H—3286 filed by her and Tabor of Jackson:

H—3286

Amend Senate File 386 as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, by striking lines 19 through 32 and inserting in lieu thereof the following:

"b. Add the amount of federal income taxes paid for the tax year as a result of withholding and estimated tax payments. Also add the amount of federal income taxes paid and additional federal income taxes paid during the tax year for a prior year. However, the amount of federal income taxes deducted for the tax year shall not exceed twenty-two thousand dollars, except that any additional taxes paid for tax years ending prior to January 1, 1983 shall not be subject to the twenty-two thousand dollar limitation. Subtract the amount of federal income tax refunds received for the tax year to the extent that the federal income tax was deducted in a previous year. Married persons who file separately shall be limited to a federal income tax deduction for federal income taxes paid during the tax year not to exceed twenty-two thousand dollars in total for both spouses. The amount of the federal income tax deduction shall be divided between each spouse by the ratio of federal adjusted gross income of each spouse to total federal adjusted gross income of both spouses unless they can show that another method more accurately reflects the amount of federal income tax to be deducted by each."

Doderer of Johnson offered the following amendment H—3291, to amendment H—3286, filed from the floor by her and Tabor of Jackson and moved its adoption:

H—3291

Amend the Doderer and Tabor amendment, H—3286, to Senate File 386, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, lines 8 and 9, by striking the words "and additional federal income taxes paid" and inserting in lieu thereof the words "with the federal return or as a result of an adjustment to a federal return".

2. Page 1, line 12, by inserting after the word "paid" the words "with the federal return or as a result of an adjustment to a federal return".

Amendment H—3291 was adopted.

Mullins of Kossuth offered the following amendment H—3288, to amendment H—3286, filed from the floor by Mullins, Lageschulte and Carpenter and moved its adoption:

H—3288

Amend H—3286 to Senate File 386 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 21 through 27 and inserting in lieu thereof the words: "dollars for each spouse."

Roll call was requested by Hoffmann-Bright of Muscatine and Halvorson of Clayton.

Rule 76 was invoked.

On the question "Shall amendment H—3288 be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Buhr
Chapman	Clark	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 56:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Carter	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lonergan	Miller
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 8:

Carpenter	Corey	Daggett	Hummel
Lloyd-Jones	Muhlbauer	Royer	Tofte

Amendment H—3288 lost.

Schroeder of Pottawattamie offered the following amendment H—3294, to amendment H—3286, filed by him from the floor and moved its adoption:

H—3294

Amend the Doderer and Tabor amendment, H—3286, to Senate File 386, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 14, by inserting after the period the words "Any amount of federal taxes paid in a tax year in excess of twenty-two thousand dollars may be deducted in any succeeding tax year."

A non-record roll call was requested.

The ayes were 30, nays 60.

Amendment H—3294 lost.

On motion by Doderer of Johnson, amendment H—3286, as amended, was adopted.

De Groot of Lyon offered the following amendment H—3270 filed by him:

H—3270

Amend Senate File 386 as amended, passed and reprinted by the Senate, as follows:

1. Page 6, by inserting after line 5 the following new section:

"Sec. 20. Section 422.12, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 4. An investment tax credit equal to one percent of the value of depreciable property located in this state which qualifies for the federal investment tax credit as authorized under section 38 of the Internal Revenue Code of 1954 and computed under section 46 of the Internal Revenue Code of 1954.

The investment tax credit allowed under this subsection shall be applicable for tax years beginning on or after January 1, 1985 and shall be subject to the following limitations:

a. For the tax year beginning on or after January 1, 1985, the maximum allowable credit shall be two hundred fifty dollars.

b. For the tax year beginning on or after January 1, 1986, the maximum allowable credit shall be five hundred dollars.

c. For the tax year beginning on or after January 1, 1987, the maximum allowable credit shall be seven hundred fifty dollars.

d. For the tax year beginning on or after January 1, 1988, the maximum allowable credit shall be one thousand dollars.

e. For the tax year beginning on or after January 1, 1989 and succeeding tax years, the allowable credit shall be the amount allowed under this subsection."

2. Page 7, by inserting after line 14 the following new section:

"Sec. 30. Section 422.33, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 6. A corporation may deduct from the computed tax an investment tax credit equal to one percent of the value of the depreciable property located in this state which qualifies for the federal investment tax credit as authorized under section 38 of the Internal Revenue Code of 1954 and computed under section 46 of the Internal Revenue Code of 1954. The investment tax credit allowed under this subsection shall be applicable for tax years beginning on or after January 1, 1985 and shall be subject to the following limitations:

a. For the tax year beginning on or after January 1, 1985, the maximum allowable credit shall be two hunded fifty dollars.

b. For the tax year beginning on or after January

Page 2

1, 1986, the maximum allowable credit shall be five hundred dollars.

c. For the tax year beginning on or after January 1, 1987, the maximum allowable credit shall be seven hundred fifty dollars.

d. For the tax year beginning on or after January 1, 1988, the maximum allowable credit shall be one thousand dollars.

e. For the tax year beginning on or after January 1, 1989 and succeeding tax years, the allowable credit

shall be the amount allowed under this subsection.

The credit allowed under this subsection shall not exceed the taxpayer's tax liability. The credit may be claimed only in the tax year in which the depreciable property is acquired."

3. Page 8, line 17, by striking the word and figure "and 16" and inserting in lieu thereof the word and figures "16, 20, and 30".

4. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Tabor of Jackson rose on a point of order that amendment H—3270 was not germane.

The Speaker ruled the point well taken and amendment H—3270 not germane.

The House stood at ease at 2:42 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 386 at 3:22 p.m., Speaker Avenson in the chair.

De Groot of Lyon moved that the rules be suspended to consider amendment H—3270.

Roll call was requested by De Groot of Lyon and Stromer of Hancock.

On the question "Shall the rules be suspended to consider amendment H—3270?"

The ayes were, 35:

Anderson	Bennett	Branstad	Carpenter
Clark	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 58:

Arnould	Baxter	Black	Blanshan

Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 7:

Copenhaver	Corey	Daggett	Hummel
Muhlbauer	Royer	Tofte	

The motion lost.

The following amendment H–3307 filed by Doderer of Johnson from the floor was adopted by unanimous consent:

H–3307

Amend Senate File 386 as follows:

1. Title page, lines 7 through 9, by striking the words "reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers,".

Doderer 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. 386)

The ayes were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
McKean	Miller	Norland	O'Kane

Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 36:

Anderson	Bennett	Branstad	Carpenter
Chiodo	Clark	Cooper	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Krewson	Lageschulte	Maulsby	McIntee
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

Absent or not voting, 6:

Corey	Daggett	Hummel	Muhlbauer
Royer	Tofte		

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

Regular Calendar

House File 199, a bill for an act to provide that a person who is required by a soil conservation district to institute soil and water conservation practices or erosion control practices may be required to submit to the district three bids from contractors, with report of committee recommending amendment and passage was taken up for consideration.

Koenigs of Mitchell offered the following amendment H–3231 filed by the committee on agriculture and moved its adoption:

H–3231

Amend House File 199 as follows:
1. Page 1, line 5, by striking the words "at least" and inserting in lieu thereof the words "up to".

The committee amendment H–3231 was adopted.

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

On the question "Shall the bill pass?" (H.F. 199)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 1:

Schroeder

Absent or not voting, 7:

Corey	Daggett	Hummel	Muhlbauer
Royer	Tofte	Welden	

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

UNANIMOUS CONSENT TO AMEND TITLE

Doderer of Johnson asked and received unanimous consent to amend the title of Senate File 386 and the title was so amended in accordance with amendment H–3307.

OBJECTION TO UNANIMOUS CONSENT

Schroeder of Pottawattamie asked for unanimous consent to suspend Rule 31.8 on bills on the Monday, March 21, 1983 Daily Debate Calendar.

Objection was raised.

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 18, 1983, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 9, providing that the general assembly opposes any national legislation, with or without a windfall profits tax, to accelerate the decontrol of natural gas.

Also: That the Senate has on March 18, 1983, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 15, providing for a joint session on April 21, 1983, to honor the Pioneer Lawmakers.

Also: That the Senate has on March 18, 1983, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 18, providing for a recess of the Seventieth General Assembly on Thursday, March 31, 1983.

Also: That the Senate has on March 18, 1983, passed the following joint resolution in which concurrence of the House is asked:

Senate Joint Resolution 10, proposing an amendment to the Constitution of the State of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 10, a bill for an act relating to compensation for solemnizing a marriage.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 225, a bill for an act to require the metering, inspection and testing, sealing, and licensing of pumps used to dispense liquefied petroleum gas.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 351, a bill for an act relating to the compensation of jury commissioners.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 371, a bill for an act relating to costs incurred for a mobile home space when the tenant abandons the mobile home.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 387, a bill for an act relating to an examination by the superintendent of banking of the condition of an economic development corporation.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 391, a bill for an act relating to the commission on professional and occupational regulation.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 401, a bill for an act relating to the confidentiality of financial statements of grain dealers and warehousemen.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 402, a bill for an act to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 dealer license.

Also: That the Senate has on March 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 412, a bill for an act authorizing the department of social services to establish a sales bonus program for the sale of prison industry products.

K. MARIE THAYER, Secretary

REREFERRED TO COMMITTEE ON FINANCE
(Senate Concurrent Resolution 13)

The Speaker announced that Senate Concurrent Resolution 13, recommended do pass by the committee on **appropriations** at their meeting on March 17, 1983, was rereferred to the committee on **finance.**

PRESENTATION OF VISITORS

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

Fourteen members of the Northwood Kensett Vikings, Northwood Kensett High School, Northwood, accompanied by Coach Maynard Mitgaard and assistants Bob Wilder and Jack McMullen. By Norland of Worth.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 325 Judiciary and Law Enforcement

Relating to reconsideration of sentence.

S.B. 326 Judiciary and Law Enforcement

Relating to certain information and documents containing certain information, involving persons convicted of crimes.

S.B. 327 Local Government

Providing for the investment of idle public funds and creating a local government investment pool.

S.B. 328 Judiciary and Law Enforcement

Relating to the postconviction procedure Act.

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 14

Transportation: Renaud, Chair; Cochran and Van Camp.

House File 147

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

House File 202

Judiciary and Law Enforcement: Chapman, Chair; Rosenberg and Tabor.

House File 310

Small Business and Commerce: Swartz, Chair; Diemer and Sturgeon.

House File 353

Human Resources: Mullins, Chair; Connors, Ollie, Sherzan and Van Camp.

House File 375

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 381

Small Business and Commerce: Chiodo, Chair; Gronstal and Schroeder.

House File 385 (Reassigned)

Local Government: Running, Chair; Buhr and Grandia.

House File 386

Ways and Means: Oxley, Chair; Davitt and Maulsby.

House File 390

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 396

Ways and Means: Holveck, Chair; Gronstal and Lageschulte.

House File 411

Ways and Means: Groninga, Chair; Davitt and McKean.

House File 421

Ways and Means: Gronstal, Chair; Bennett and Chiodo.

House File 424

Ways and Means: Pavich, Chair; Clark and Swartz.

House File 426

Labor and Industrial Relations: Sherzan, Chair; Grandia and Peick.

House File 438

Ways and Means: O'Kane, Chair; Carpenter and Holveck.

House File 445

Ways and Means: O'Kane, Chair; Anderson and Koenigs.

House File 447

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 449

Ways and Means: Groninga, Chair; Daggett and Rosenberg.

House File 451

Education: Hughes, Chair; Carpenter and Carter.

House File 454

Ways and Means: Osterberg, Chair; De Groot and Varn.

House File 455

Ways and Means: Fey, Chair; Diemer and Osterberg.

House File 456

Local Government: Running, Chair; Grandia and Renaud.

House File 457

Agriculture: Zimmerman, Chair; Skow and Rensink.

House File 458

Judiciary and Law Enforcement: Holveck, Chair; McIntee and Paulin.

House File 461

Education: Zimmerman, Chair; Menke and Poncy.

House File 462

Judiciary and Law Enforcement: Chapman, Chair; Hammond and Miller.

House File 463

Judiciary and Law Enforcement: Varn, Chair; Holveck and Paulin.

House File 464

Education: Varn, Chair; Groth and Krewson.

House File 466

Judiciary and Law Enforcement: Haverland, Chair; Corey and Knapp.

House File 470

Local Government: Running, Chair; Grandia and Renaud.

House File 471

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

House File 472

Judiciary and Law Enforcement: Paulin, Chair; McIntee and Halvorson of Clayton.

House File 473

Judiciary and Law Enforcement: Hammond, Chair; Clark and Rosenberg.

House File 474

State Government: Arnould, Chair; Buhr, Hoffmann-Bright, Swartz and Swearingen.

House File 475

Natural Resources: Tabor, Chair; Baxter and Diemer.

House File 478

Local Government: O'Kane, Chair; Grandia and Royer.

House File 482

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

House File 483

Small Business and Commerce: Skow, Chair; Chiodo and Schroeder.

House File 484

Small Business and Commerce: Chiodo, Chair; Gronstal and Schroeder.

House File 493

Ways and Means: Rosenberg, Chair; Clark and Groninga.

House File 496

Local Government: Royer, Chair; Renken and Cooper.

Senate File 14

Ways and Means: O'Kane, Chair; Cochran and Renken.

Senate File 92

Ways and Means: Copenhaver, Chair; Carpenter, Connolly, Koenigs, Oxley, Schnekloth and Schroeder.

Senate File 208

Ways and Means: Brammer, Chair; Anderson and Varn.

Senate File 302

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Senate File 325

Judiciary and Law Enforcement: Haverland, Chair; Corey and McIntee.

Senate File 336

Judiciary and Law Enforcement: Hammond, Chair; Schroeder and Varn.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 288

Education: Jay, Chair; Daggett and Haverland.

Study Bill 289

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 290

Education: Groth, Chair; Daggett and Ollie.

Study Bill 295

Education: Krewson, Chair; Carl and Haverland.

Study Bill 297

Human Resources: Mullins, Chair; Connors, Ollie, Sherzan and Van Camp.

Study Bill 298

Transportation: Koenigs, Chair; Corey and Lloyd-Jones.

Study Bill 299

Transportation: Cooper, Chair; Cochran and Van Maanen.

Study Bill 300

Transportation: Woods, Chair; Koenigs and Lageschulte.

Study Bill 301

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 303

Natural Resources: Welden, Chair; Black and Tabor.

Study Bill 304

Education: Groth, Chair; Branstad and Ollie.

Study Bill 305

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 306

Education: Connolly, Chair; Jay and Swearingen.

Study Bill 307

Natural Resources: Diemer, Chair; and Sullivan.

Study Bill 308

Energy: Mullins, Chair; Baxter, Black, Clark and Sullivan.

Study Bill 309

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Study Bill 311

Agriculture: Muhlbauer, Chair; Hughes and Bennett.

Study Bill 313

State Government: Buhr, Chair; Hoffmann-Bright and Swartz.

Study Bill 314

State Government: Pavich, Chair; Van Maanen and Woods.

Study Bill 315

Agriculture: Davitt, Chair; Gruhn, Skow, Stueland and De Groot.

Study Bill 316

Agriculture: Carter, Chair; Handorf and Koenigs.

Study Bill 317

Agriculture: Blanshan, Chair; Van Maanen and Zimmerman.

Study Bill 318

Ways and Means: Varn, Chair; Carpenter and Oxley.

Study Bill 319

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 320

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 321

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Study Bill 323

Judiciary and Law Enforcement: Haverland, Chair; Hammond and McKean.

Study Bill 327

Local Government: O'Kane, Chair; Connors and Hermann.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly Study Bill 252), relating to securities exempt from registration under the Iowa uniform securities Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 18, 1983.

Committee Bill (Formerly Study Bill 271), relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to insure or guarantee loans made by the authority.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 315), to establish a moratorium on certain provisions of the chapter on land preservation and use effective upon publication.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

COMMITTEE ON APPROPRIATIONS

Senate Concurrent Resolution 13, a concurrent resolution relating to regents bonding for academic buildings.

Recommended **Do Pass** March 17, 1983.

COMMITTEE ON EDUCATION

House File 366, a bill for an act requiring director districts of certain school districts, area education agencies, and merged areas to be redistricted following each federal decennial census.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 275), relating to funds available to educational agencies and students of educational agencies.

Fiscal Note is required.

Recommended **Do Pass** March 17, 1983.

COMMITTEE ON ENERGY

Committee Bill (Formerly House File 387), to encourage the development of alternative energy production facilities, and small hydroelectric facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 219, Revised), relating to differences between rules of the water, air and waste management commission and federal rules and regulations for environmental programs.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 296), relating to the appropriation of funds to the energy policy council for use in local energy management programs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly House File 321), relating to the judicial nominating commissions.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

Committee Bill (Formerly House File 330), relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly House File 331), relating to parole revocations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 76), providing for the disposition of personal property in the possession of the department of public safety.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 152), relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 215), relating to permitting or requiring a corporation to indemnify a director, officer, employee, or agent of the corporation for judgments, penalties, fines, settlement, and reasonable expenses actually incurred as a defendant or respondent in an administrative or court proceeding.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 270), relating to the penalties for the crime of theft.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

Committee Bill (Formerly House File 329 and Study Bills 285, 301 and 320), relating to persons convicted of crimes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 319), relating to reconsideration of sentence.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

COMMITTEE ON LOCAL GOVERNMENT

House File 169, a bill for an act establishing a time limit for completion of audits of units of local government.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3292** March 17, 1983.

House File 382, a bill for an act relating to annual salaries of assistant county attorneys.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

House File 407, a bill for an act exempting animal shelters from complying with requests by authorizing institutions for dogs for use in scientific research.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 180), relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations, expanding the duties and tenure of the county finance committee, providing for current and noncurrent debt, making coordinating amendments, and continuing certain penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 239), relating to the acceptance and use by cities of federal assistance for economic development projects.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

COMMITTEE ON STATE GOVERNMENT

House File 257, a bill for an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3293** March 18, 1983.

House File 317, a bill for an act relating to the licensing of public school boards for the purpose of conducting gambling activities.

Fiscal Note is required.

Recommended **Do Pass** March 17, 1983.

House File 323, a bill for an act relating to sex discrimination in retirement programs.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

Committee Bill (Formerly House File 297), relating to the authority of licensing boards under the continuing education chapter.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 1983.

Committee Bill (Formerly Study Bill 83), relating to the requirements that certain buildings be designed by registered architects.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 18, 1983.

Committee Bill (Formerly Study Bill 313), regarding the recording of financing statements under the uniform commercial code.

Fiscal Note is required.

Recommended **Do Pass** March 17, 1983.

AMENDMENTS FILED

H–3292	H.F. 169	Committee on Local Government
H–3293	H.F. 257	Committee on State Government

H—3295	H.F. 508	Woods of Polk
H—3296	H.F. 495	Spear of Lee
H—3297	H.F. 382	Spear of Lee
H—3298	H.F. 476	Krewson of Polk
H—3299	H.F. 515	Spear of Lee
H—3300	H.F. 37	Schnekloth of Scott
H—3301	H.F. 37	Schnekloth of Scott
H—3302	H.F. 37	Schnekloth of Scott
H—3303	H.F. 37	Halvorson of Clayton
H—3304	H.F. 37	Halvorson of Clayton
H—3305	H.F. 422	Spear of Lee
H—3306	H.F. 406	Woods of Polk Carpenter of Polk Sherzan of Polk Renaud of Polk Gruhn of Dickinson Baxter of Des Moines
H—3308	H.F. 446	Spear of Lee
H—3309	H.F. 504	Davitt of Warren Skow of Guthrie Anderson of Audubon Gruhn of Dickinson Handorf of Marshall
H—3310	H.F. 37	Handorf of Marshall Lageschulte of Bremer Stueland of Clinton Pellett of Cass
H—3311	H.F. 37	Handorf of Marshall Lageschulte of Bremer Stueland of Clinton Pellett of Cass
H—3312	H.F. 502	Zimmerman of Dallas
Jay of Appanoose		Muhlbauer of Crawford
Hanson of Delaware		Peick of Linn
Pellett of Cass		Knapp of Dubuque Cochran of Webster
H—3313	H.F. 514	Schroeder of Pottawattamie
Hanson of Delaware		Hoffmann-Bright of Muscatine
Renken of Grundy		Maulsby of Calhoun
Van Camp of Scott		Anderson of Audubon
Grandia of Marion		Torrence of Muscatine
McIntee of Black Hawk		

H—3314 H.F. 514
Stromer of Hancock
Halvorson of Clayton
McIntee of Black Hawk
Renken of Grundy
Clark of Cerro Gordo
Maulsby of Calhoun
Paulin of Plymouth
Torrence of Muscatine
Grandia of Marion
Schroeder of Pottawattamie
Krewson of Polk
Branstad of Winnebago
McKean of Jones
De Groot of Lyon

H—3315 H.F. 514
Hanson of Delaware
Renken of Grundy
Diemer of Black Hawk
Schnekloth of Scott
Van Camp of Scott
Grandia of Marion
Hanson of Delaware
Diemer of Black Hawk
Hoffmann-Bright of Muscatine
Schnekloth of Scott
Anderson of Audubon
Bennett of Ida
Handorf of Marshall
Van Gerpen of Black Hawk
Van Camp of Scott
Van Maanen of Mahaska
Rensink of Sioux
Mullins of Kossuth
Menke of O'Brien
Hermann of Scott
Carpenter of Polk
Schroeder of Pottawattamie
Hoffmann-Bright of Muscatine
Maulsby of Calhoun
Stromer of Hancock
Anderson of Audubon
Torrence of Muscatine
McIntee of Black Hawk

On motion by Norland of Worth, the House adjourned at 4:21 p.m., until 10:00 a.m., Monday, March 21, 1983.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day—Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 21, 1983

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

Prayer was offered by the Reverend Faith Ferre', pastor of the First Christian Church, Des Moines and wife of Representative Haverland.

The Journal of Friday, March 18, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Paulin of Plymouth on request of Carpenter of Polk; Hummel of Benton on request of Copenhaver of Buchanan; Knapp of Dubuque and Connolly of Dubuque, for a portion of the day, on request of Norland of Worth; Fey of Scott, for a portion of the day, on request of Arnould of Scott; Connors of Polk, for the week of March 21, 1983, on request of Lonergan of Boone.

PETITIONS FILED

The following petitions were received and placed on file:

By Peick of Linn, from six hundred forty-three constituents of the 52nd District favoring Senate File 92, an act to permit pari-mutuel betting in Iowa.

By Peick of Linn, from fifty-three constituents of the 52nd District opposing Senate File 92, an act to permit pari-mutuel betting in Iowa.

INTRODUCTION OF BILLS

House Joint Resolution 10, by Schnekloth, Halvorson of Clayton, Bennett, Anderson, Renken, Pellett, Welden, Harbor, Van Camp, Maulsby, Branstad, McIntee, Stueland, Corey, Grandia, De Groot, Van Maanen, Rensink, Daggett and Stromer, a joint resolution proposing an amendment to the Constitution of the State of Iowa

relating to the protection of taxpayers' rights by limiting taxes, revenue, and related activities of the state and local governments.

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

House File 537, by Varn, a bill for an act to provide for the establishment of campaign spending limits for certain offices.

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

House File 538, by Osterberg, 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 **ways and means.**

House File 539, by Cochran, a bill for an act relating to the adjustment made for moisture content in the sale of grain.

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

House File 540, by Connors, a bill for an act relating to the definitions of an employer and employee in chapter 91A.

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

House File 541, by Krewson, a bill for an act relating to the business of contracting for certain construction services and materials by requiring the licensing of contractors and by giving a five percent preference to Iowa products and labor in competitive bidding for public projects, and providing a penalty.

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

House File 542, by Gronstal, a bill for an act providing for the licensing and operation of escort vehicles and making penalties applicable.

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

House File 543, by Sullivan, a bill for an act relating to the investment of certain funds belonging to an organization that represents employees in their employment relations with an employer.

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

House File 544, by Osterberg, a bill for an act to provide the state historical department the authority to establish a cooperative program with museums and counties for the purpose of preserving Iowa's historical heritage, promoting Iowa history, and making an appropriation.

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

House File 545, by Skow, a bill for an act relating to the rights and duties of an owner of property requested to provide information to an assessor to assist the assessor in valuing the property, and providing penalties.

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

House File 546, by Rosenberg, a bill for an act to disallow the deduction of intangible drilling and development costs in computing state corporate income taxes.

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

House File 547, by Lloyd-Jones, a bill for an act requiring that one year of world history be included in the curriculum of grades nine through twelve.

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

House File 548, by Gronstal, a bill for an act relating to investments of the Iowa public employees' retirement system fund in loans secured by real estate mortgages.

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

House File 549, by Skow and Halvorson of Clayton, a bill for an act prohibiting banks, savings and loan associations, and credit

unions from participating in some types of group insurance programs for the depositors of the financial institution.

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

House File 550, by Gronstal and O'Kane, a bill for an act permitting the use of special assessment bonds for residential developments in cities.

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

HOUSE FILES 514 AND 515 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 514 and 515 be deferred and that the bills retain their place on the calendar.

CONSIDERATION OF BILLS
Regular Calendar

House File 495, a bill for an act relating to the date of precinct caucuses of the political parties, was taken up for consideration.

Spear of Lee offered the following amendment H–3296 filed by him and moved its adoption:

H–3296

Amend House File 495 as follows:
1. Page 1, by striking lines 10 through 12 and inserting in lieu thereof the words "The county".

Amendment H–3296 was adopted.

Arnould 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. 495)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Osterberg
Oxley	Parker	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Carter	Connolly	Connors	Fey
Gronstal	Hummel	Knapp	Ollie
Paulin			

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

House Joint Resolution 2, 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, with report of committee recommending passage was taken up for consideration.

Buhr of Polk moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

House Joint Resolution 2, 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.

Whereas, the Ninety-fifth Congress of the United States has passed a joint resolution proposing an amendment to the Constitution of the United States to provide for representation of the District of Columbia in the congress; and

Whereas, this joint resolution passed the house of representatives of the United States on March 2, 1978, passed the senate of the United States on August 22, 1978, and now has been submitted to a vote of the states and reads:

"JOINT RESOLUTION

Proposing an amendment to the Constitution to provide for representation of the District of Columbia in the Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE—

"Section 1. For purposes of representation in the Congress, election of the President and Vice President, and article V of this Constitution, the District constituting the seat of government of the United States shall be treated as though it were a state.

"Sec. 2. The exercise of the rights and powers conferred under this article shall be by the people of the District constituting the seat of government, and as shall be provided by the Congress.

"Sec. 3. The twenty-third article of amendment to the Constitution of the United States is hereby repealed.

"Sec. 4. This article shall be inoperative, unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

Be It Resolved by the General Assembly of the State of Iowa:

That the foregoing proposed amendment to the Constitution of the United States is hereby ratified and consented to by the state of Iowa and the general assembly thereof; and

Be It Further Resolved, That the governor of the state of Iowa forward certified copies of this resolution over the seal of the state of Iowa to the secretary of state of the United States, to the presiding officer of the senate of the United States, to the speaker of the house of representatives of the United States, and to the administrator of the United States general services administration.

Rule 76 was invoked.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 2)

The ayes were, 62:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Cooper	Davitt	Doderer
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Hughes	Jay	Jochum	Koenigs
Krewson	Lloyd-Jones	Lonergan	McIntee
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 32:

Anderson	Bennett	Branstad	Copenhaver
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Lageschulte	Maulsby	Menke	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Swearingen	Tofte
Torrence	Van Camp	Van Maanen	Welden

Absent or not voting, 6:

Connolly	Connors	Fey	Hummel
Knapp	Paulin		

The joint resolution, having received a constitutional majority was declared to have been adopted and agreed to by the House.

HOUSE FILE 362 DEFERRED

Parker of Jasper asked and received unanimous consent that House File 362 be deferred and that the bill retain its place on the calendar.

Renken of Grundy in the chair at 10:53 a.m.

House File 166, a bill for an act relating to the rights and duties of persons riding a bicycle or animal or driving an animal drawing a vehicle under the motor vehicle provisions of the Code, with report of committee recommending passage was taken up for consideration.

Lloyd-Jones of Johnson offered amendment H–3247 filed by her and requested division as follows:

H–3247

Amend House File 166 as follows:

H–3247A

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 321.1, subsection 3, Code 1983, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. "Bicycle" means a nonmotorized device upon which a person may be transported, which has two or three wheels tandem, a steering handle, one or two saddle seats, and pedals by which the device is propelled by human power."

H–3247B

2. Page 1, by striking line 3 and inserting in lieu thereof the following:

"321.234 BICYCLES OR ANIMAL–DRAWN VEHICLES.

1. ~~Every~~ A person".

3. Page 1, by striking lines 9 through 11 and inserting in lieu thereof the following: "no application.

2. A person propelling a bicycle on the highway shall not ride other than upon or astride a permanent and regular seat attached thereto.

3. A person shall not use a bicycle on the highway to carry more persons at one time than the number of persons for which it is designed and equipped.

4. This section does not apply to the use of a bicycle in a parade authorized by proper permit from local authorities."

4. Page 1, by inserting after line 11 the following:

"Sec. . Section 321.358, subsection 1, Code 1983, is amended to read as follows:

1. On a sidewalk, except this subsection does not apply to bicycles.

Sec. . Section 805.8, subsection 2, paragraph i, Code 1983, is amended to read as follows:

i. For violations by pedestrians and bicyclists under sections 321.234, subsections 2 and 3, 321.236, subsection 10, 321.325, 321.326, 321.328, 321.331, 321.332, 321.397 and 321.434, the scheduled fine is ten dollars."

5. Renumber as necessary.

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—3247A.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rensink of Sioux, for the remainder of today, March 22 and 23, 1983, on request of Schnekloth of Scott.

On motion by Lloyd-Jones of Johnson, amendment H—3247B was adopted.

Osterberg 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. 166)

The ayes were, 91:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Pellett	Poncy
Renaud	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Renken)	

The nays were, 1:

Koenigs

Absent or not voting, 8:

Connolly	Connors	Fey	Hummel
Knapp	Krewson	Paulin	Rensink

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

House File 362, a bill for an act relating to intestate shares when a decedent leaves a surviving spouse or a surviving spouse and issue, previously deferred, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H–3253 filed by him:

H–3253

1 Amend House File 362 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. . Section 557.21, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. After the lapse of twenty years from the time the life tenant has taken possession of a life estate, the holder of the remainder interest may petition the court to modify the life estate. The court may terminate or limit the duration of the life estate upon a finding of undue hardship on the holder of life estate, a change of circumstances, or on other grounds which the court feels necessary or proper."

2. Renumber as necessary.

Halvorson of Webster rose on a point of order that amendment H—3253 was not germane.

The Speaker ruled the point well taken and amendment H—3253 not germane.

Parker of Jasper offered the following amendment H—3239 filed by him and moved its adoption:

H—3239

Amend House File 362 as follows:

1. Page 1, by striking lines 14 through 20.

2. Page 1, line 23, by inserting after the word "other" the words "real and".

3. Renumber as necessary.

Amendment H—3239 was adopted.

Maulsby of Calhoun asked for unanimous consent to suspend the rules to consider amendment H—3322.

Objection was raised.

Maulsby of Calhoun moved that Rule 31.8 be suspended to consider amendment H—3322 filed by him from the floor as follows:

H—3322

Amend House File 362 as follows:

1. Page 1, line 8, by inserting after the word "right." the following: "However, if the decedent

leaves two or more surviving children from a previous marriage or issue of the children, then the surviving spouse shall receive one-third in value of all the legal and equitable estates in real property possessed by the decedent at any time during the marriage, which have not been sold on execution or other judicial sale, and to which the surviving spouse has made no relinquishment of the spouse's right."

Maulsby of Calhoun asked and received unanimous consent to withdraw his motion.

Stromer of Hancock moved that Rule 31.8 be suspended to consider amendment H—3322.

A non-record roll call was requested.

The ayes were 37, nays 54.

The motion lost.

Harbor of Mills asked for unanimous consent to defer action on House File 362.

Objection was raised.

Harbor of Mills moved that House File 362 be deferred and that the bill retain its place on the calendar.

Speaker Avenson in the chair at 11:34 a.m.

The motion to defer lost.

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

On the question "Shall the bill pass?" (H.F. 362)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly

Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 1:

Maulsby

Absent or not voting, 6:

Black	Connors	Fey	Hummel
Paulin	Rensink		

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

UNANIMOUS CONSENT

Schnekloth of Scott asked and received unanimous consent to change his vote from "nay" to "aye" on House File 166 and the vote was so recorded.

HOUSE FILE 502 DEFERRED

Norland of Worth asked and received unanimous consent that House File 502 be deferred and that the bill retain its place on the calendar.

House File 440, a bill for an act relating to the department of social services' right of subrogation under the medical assistance program, medical assistance recipients' freedom of choice, and the membership of the medical assistance advisory council, was taken up for consideration.

Zimmerman 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. 440)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Connors	Fey	Hummel	Paulin
Rensink	Welden		

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

HOUSE RESOLUTION 6
By Avenson, Stromer and Norland

Whereas, the membership of the House of Representatives of the Seventieth General Assembly has learned with great sorrow of the passing of Ensign Daniel Perry Hummel, son of Representative Kyle Hummel and Shirley Hummel of Vinton, Iowa, *Now Therefore*,

Be It Resolved, That the members of the House of Representatives hereby wish to express to Representative Hummel, Mrs. Hummel, and members of the Hummel Family their personal sympathy in the loss of their beloved Daniel.

Be It Further Resolved, That a copy of this resolution be forwarded to Representative Hummel and members of the family.

Laid over under Rule 25.

REMOVED FROM NONCONTROVERSIAL CALENDAR
(House File 509)

Carter of Henry requested that, pursuant to Rule 36, House File 509 be removed from the noncontroversial calendar and returned to the regular calendar.

On motion by Norland of Worth, the House was recessed at 11:53 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 551, by committee on judiciary and law enforcement, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

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

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 10, by committee on education, a joint resolution proposing an amendment to the Constitution of the State

of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

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

Senate File 10, by Brown, a bill for an act relating to compensation for solemnizing a marriage.

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

Senate File 225, by Holden, a bill for an act to require the metering, inspection and testing, sealing, and licensing of pumps used to dispense liquefied petroleum gas.

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

Senate File 351, by Hutchins, a bill for an act relating to the compensation of jury commissioners.

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

Senate File 371, by committee on judiciary, a bill for an act relating to costs incurred for a mobile home space when the tenant abandons the mobile home.

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

Senate File 387, by committee on small business and economic development, a bill for an act relating to an examination by the superintendent of banking of the condition of an economic development corporation.

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

Senate File 391, by committee on state government, a bill for an act relating to the commission on professional and occupational regulation.

Read first time and referred to committee on **state government.**

Senate File 401, by committee on commerce, a bill for an act relating to the confidentiality of financial statements of grain dealers and warehousemen.

Read first time and referred to committee on **small business and commerce.**

Senate File 402, by committee on commerce, a bill for an act to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license.

Read first time and **passed on file.**

Senate File 412, by committee on human resources, a bill for an act authorizing the department of social services to establish a sales bonus program for the sale of prison industry products.

Read first time and referred to committee on **human resources.**

OBJECTION TO MOTION TO WITHDRAW

Chiodo of Polk asked for unanimous consent to withdraw the motion to reconsider Senate File 116 filed by him on March 9, 1983.

Objection was raised.

CONSIDERATION OF BILLS

Regular Calendar

House File 37, a bill for an act relating to the use of polygraph examinations as a condition of employment and providing a penalty, with report of committee recommending passage was taken up for consideration.

Schnekloth of Scott offered the following amendment H–3300 filed by him and moved its adoption:

H–3300

Amend House File 37 as follows:
1. Page 1, by inserting before line 1, the following new section:

"Section 1. For the purposes of this chapter "polygraph" means any mechanical or electrical instrument or device of any type used or allegedly used to examine, test or question individuals for the purpose of determining truthfulness." "

Amendment H—3300 was adopted.

Schnekloth of Scott asked and received unanimous consent to withdraw amendment H—3302 filed by him on March 18, 1983.

Handorf of Marshall asked and received unanimous consent to withdraw amendment H—3310 filed by him on March 18, 1983.

Halvorson of Clayton offered the following amendment H—3303 filed by him and moved its adoption:

H—3303

Amend House File 37 as follows:
1. Page 1, line 5, by inserting after the word "employment" the following: "or dismisses or disciplines in any manner an employee for failing, refusing or declining to submit to or take a polygraph examination".

Amendment H—3303 was adopted.

Schnekloth of Scott offered the following amendment H—3301 filed by him:

H—3301

Amend House File 37 as follows:
1. Page 1, by inserting after line 6 the following new section:
"Sec. 2. The provisions of section 1 do not apply to the state or a political subdivision of the state when dealing with police officers in its employ or with persons applying to be employed as police officers." "

Spear of Lee asked and received unanimous consent to defer action on amendment H—3319, to amendment H—3301.

Brammer of Linn offered the following amendment H—3324, to amendment H—3301, filed by him from the floor and moved its adoption:

H—3324

Amend the amendment H—3301, to House File 37, as follows:

1. Page 1, by striking lines 6 and 7 and inserting in lieu thereof the following: "in the process of selecting a candidate for employment as a peace officer or a corrections officer." "

Amendment H—3324 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3319, to amendment H—3301, filed by him from the floor.

Schnekloth of Scott moved the adoption of amendment H—3301, as amended.

The ayes were 43, nays 48.

Amendment H—3301, as amended, lost.

Chiodo of Polk in the chair at 4:48 p.m.

Halvorson of Clayton offered the following amendment H—3304 filed by him and moved its adoption:

H—3304

Amend House File 37 as follows:

1. Page 1, by adding after line 6, the following new section:

"Sec. 2. The prohibition of section 1 does not apply to the federal government or any agency thereof or the state government or any agency or local subdivision thereof including but not limited to counties, cities, districts, boards and commissions." "

Amendment H—3304 lost.

Handorf of Marshall offered the following amendment H—3311 filed by Handorf, et al., and moved its adoption:

H—3311

Amend House File 37 as follows:

1. Page 1, by inserting after line 6, the following new section:

"Sec. 2. No employer shall request any person to take such an examination without first advising the person in writing at the time the examination is to be administered of the prohibition contained in section 1." "

Amendment H—3311 was adopted.

Bennett of Ida asked for unanimous consent to consider amendment H—3320.

Objection was raised.

Bennett of Ida moved that Rule 31.8 be suspended to consider amendment H—3320 filed by him from the floor as follows:

H—3320

Amend House File 37 as follows:

1. Page 1, line 6, by inserting after the word "misdemeanor." the words "This section does not apply to an applicant or employee who has or will have access to confidential information of an employer the knowledge of which would give a competitor a competitive advantage over the employer. This section also does not apply to an applicant or employee who has as a primary job responsibility the receipt and disbursement of money."

A non-record roll call was requested.

The ayes were 32, nays 57.

The motion lost.

Speaker Avenson in the chair at 4:59 p.m.

Spear of Lee moved to reconsider the vote by which amendment H—3311 was adopted by the House on March 21, 1983.

A non-record roll call was requested.

The ayes were 41, nays 49.

The motion lost.

Gronstal 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. 37)

The ayes were, 72:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Cooper	Copenhaver
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Renaud	Rosenberg	Royer	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Tofte	Van Camp	Van Gerpen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 22:

Anderson	Bennett	Branstad	Corey
Daggett	De Groot	Grandia	Halvorson, R. A.
Harbor	Hermann	Hoffmann-Bright	Maulsby
Menke	Pellett	Poncy	Renken
Schnekloth	Stueland	Swearingen	Torrence
Van Maanen	Welden		

Absent or not voting, 6:

Connors	Hummel	Paulin	Pavich
Rensink	Stromer		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

DAILY DEBATE CALENDAR

Norland of Worth asked and received unanimous consent to suspend the rules to add House File 534 to the Tuesday, March 22, 1983 Daily Debate Calendar.

Regular Calendar

House File 515, a bill for an act relating to the collection of dishonored checks, drafts, or other negotiable instruments, was taken up for consideration.

(House File 515 pending at adjournment.)

MOTIONS TO RECONSIDER

(House File 199)

I move to reconsider the vote by which House File 199 passed the House on March 18, 1983.

PARKER of Jasper

(House File 440)

I move to reconsider the vote by which House File 440 passed the House on March 21, 1983.

SKOW of Guthrie

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 18, 1983, he approved and transmitted to the Secretary of State the following bill:

Senate File 132, an act relating to the examination and settlement of accounts of county officers or employees.

COMMUNICATION FROM SECRETARY OF STATE

March 18, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that House File 68 was published in the Cherokee Daily Times,

Cherokee, Iowa on March 15, 1983 and in The Cedar Rapids Gazette, Cedar Rapids, Iowa on March 16, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

COMMUNICATION FROM STATE APPEAL BOARD

The following communication was received from the State Appeal Board on March 21, 1983 and is on file in the office of the Chief Clerk:

March 18, 1983

Mr. Joseph O'Hern, Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Mr. O'Hern:

Included in our listing of December 28, 1982, was a claim from William D. Eden of Iowa City, Iowa, for $619.99 which was disapproved by the State Appeal Board on November 8, 1982 (claim No. 541-70-25). This claim was reconsidered by the Appeal Board on March 14, 1983, and was approved.

As this claim has now been approved it should be withdrawn from consideration by the Claims Committee.

Very truly yours,
Ronald J. Amosson
Executive Secretary
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN, Chief Clerk

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 18, 1983. Had I been present, I would have voted "aye" on House File 199, and amendments H—3263, H—3268, H—3270, H—3272, H—3287 and H—3288 to Senate File 386 and "nay" on Senate File 386.

COREY of Louisa

I was necessarily absent from the House chamber on Thursday afternoon, March 17, 1983 and March 18, 1983. Had I been present, I would have voted "aye" on House Concurrent Resolution 14, House File 199, and Senate File 440; and "nay" on Senate File 386.

ROYER of Page

I was necessarily absent from the House chamber on Monday morning, March 21, 1983. Had I been present, I would have voted "aye" on House Joint Resolution 2, House Files 166, 362, 440 and 495.

FEY of Scott

I was necessarily absent from the House chamber, for a portion of the morning, on March 21, 1983. Had I been present, I would have voted "aye" on House Joint Resolution 2, and House Files 166 and 495.

CONNOLLY of Dubuque

PRESENTATION OF VISITORS

Van Maanen of Mahaska presented to the House, the Honorable Phillip E. Tyrrell, former member of the House representing Iowa County.

The Speaker announced that the following visitors were present in the House chamber:

Fifty fifth grade students from West Marshall Community School District, State Center Elementary School, State Center, accompanied by Mrs. Eddy and Mrs. Maxwell. By Black of Jasper.

Fifty students from Mingo Junior-Senior High School, Mingo, accompanied by John Cannon. By Parker of Jasper.

Members of the Andrew Girl Scout Troop, Andrew, accompanied by Joyce Till and Sharon Jergens. By Tabor of Jackson.

Thirty fifth and sixth grade students from Central Dallas Community School District, Washington Elementary School, Minburn, accompanied by Judy Goodman. By Zimmerman of Dallas.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1983-4 Dr. Sean McCarthy, T.D., Member of Parliament of Ireland — Welcome to our state.

1983-5 Trojanettes Girls Basketball Team of Fairfield — Congratulations.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly House Files 296 and 298), relating to altering, defacing or removing a serial or identification mark or number and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1983.

Committee Bill (Formerly House File 329), relating to appeal of bond set after parole revocation.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1983.

Committee Bill (Formerly Study Bill 246), relating to the release of a defendant before an appearance before a magistrate.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1983.

Committee Bill (Formerly Study Bill 285), relating to circumstances under which sexual abuse is sexual abuse in the second degree.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1983.

Committee Bill (Formerly Study Bill 301), relating to the authority of the court over certain persons who committed crimes.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1983.

Committee Bill (Formerly Study Bill 320), relating to certain information and documents containing certain information involving persons convicted of crimes.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1983.

Committee Bill (Formerly Study Bill 328), relating to the postconviction procedure Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 18, 1983.

AMENDMENTS FILED

H–3316	H.F. 515	Maulsby of Calhoun
H–3317	H.F. 502	Maulsby of Calhoun
H–3318	H.F. 515	Maulsby of Calhoun
H–3325	H.F. 352	Spear of Lee Carter of Henry
H–3326	H.F. 534	Spear of Lee
H–3327	H.F. 446	McKean of Jones O'Kane of Woodbury
H–3328	H.F. 396	Schroeder of Pottawattamie
H–3329	H.F. 271	Fey of Scott
H–3330	H.F. 491	Spear of Lee
H–3331	H.F. 35	Bennett of Ida
H–3332	H.F. 520	Stueland of Clinton
H–3333	H.F. 515	Varn of Johnson
H–3334	H.F. 529	Halvorson of Webster
H–3335	H.F. 368	Bennett of Ida
H–3336	H.F. 519	Schroeder of Pottawattamie
H–3337	H.F. 494	Spear of Lee
H–3338	H.F. 519	Zimmerman of Dallas
H–3339	H.F. 519	McIntee of Black Hawk
H–3340	H.F. 519	McIntee of Black Hawk

On motion by Norland of Worth, the House adjourned at 5:40 p.m., until 9:00 a.m., Tuesday, March 22, 1983.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day — Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 22, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Frank Christ, pastor of the First Presbyterian Church, Manilla.

The Journal of Monday, March 21, 1983 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Brammer of Linn, from fourteen constituents of the 50th District opposing Senate File 92, an act to permit pari-mutuel betting.

From seventeen constituents of the 50th District, opposing Senate File 92, an act permitting pari-mutuel betting, and House File 312, the utility bill.

By Renken of Grundy, from five hundred eight constituents of the 21st District, favoring support of Independent County Based Chemical dependency programs with local control.

From twenty-one constituents opposing pari-mutuel betting in Iowa.

From twenty-four constituents favoring raising the legal drinking age in Iowa.

INTRODUCTION OF BILLS

House File 552, by committee on state government, a bill for an act relating to the campaign finance disclosure commission.

Read first time and placed on the **calendar.**

House File 553, by Cochran, 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 554, by Holveck, a bill for an act relating to the rights of a surviving or former spouse or a child to convert, retain, or to be covered by health insurance coverage or to participate in a non-profit health service corporation plan.

Read first time and referred to committee on **small business and commerce.**

House File 555, by committee on energy, a bill for an act to encourage the development of alternate energy production facilities, cogeneration facilities, and small hydroelectric facilities.

Read first time and placed on the **calendar.**

House File 556, by committee on energy, a bill for an act implementing the midwest interstate low-level radioactive waste compact and providing penalties.

Read first time and placed on the **calendar.**

House File 557, by committee on agriculture, a bill for an act relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to insure or guarantee loans made to certain farmers.

Read first time and placed on the **calendar.**

House File 558, by committee on human resources, a bill for an act revising Iowa's aid to dependent children law to conform to federal law and the practices of the department of social services.

Read first time and placed on the **calendar.**

House File 559, by Holveck, a bill for an act limiting the amount of federal income taxes deductible for purposes of determining Iowa individual income taxes.

Read first time and referred to committee on **ways and means.**

House File 560, by Running, a bill for an act relating to workers' compensation rate filings with the commissioner of insurance.

Read first time and referred to committee on **labor and industrial relations.**

House File 561, by Carter, a bill for an act to establish an Iowa grain deposit insurance fund.

Read first time and referred to committee on **agriculture.**

House File 562, by committee on education, a bill for an act relating to funds available to school districts.

Read first time and referred to committee on **finance.**

House File 563, by committee on finance, a bill for an act relating to the authorization of the Iowa department of transportation to issue and become obligated for road use tax revenue bonds; to the creation of a highway bond fund in the office of the treasurer of state to be used to pay principal of and interest on the bonds; to the allocation of revenues in the road use tax fund to the highway bond fund, for the annual appropriation of the funds allocated to the highway bond fund for the payment of principal of and interest on the bonds; and to the deposit of the proceeds of the bonds in a separate account within the primary road fund and to the appropriation of the funds to the department of transportation for its use in funding road construction, reconstruction, and improvements, and related costs.

Read first time and placed on the **calendar.**

ADOPTION OF HOUSE RESOLUTION 6

Stromer of Hancock asked and received unanimous consent for the immediate consideration of House Resolution 6, a resolution of sympathy to Representative and Mrs. Kyle Hummel and family, filed on March 21, 1983 and found on page 839 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

REREFERRED TO COMMITTEE ON FINANCE
(House Files 511 and 512)

The Speaker announced that House Files 511 and 512, both recommended amend and do pass by the committee on **appropriations** at their meeting on March 21, 1983, were rereferred to the committee on **finance** under House Rule 33.

REMOVED FROM NONCONTROVERSIAL CALENDAR
(House File 444)

Miller of Woodbury requested that, pursuant to Rule 36, House File 444 be removed from the noncontroversial calendar and returned to the regular calendar.

(Senate File 213)

Miller of Woodbury requested that, pursuant to Rule 36, Senate File 213 be removed from the noncontroversial calendar and returned to the regular calendar.

On motion by Norland of Worth, the House was recessed at 9:13 a.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

BUSINESS PENDING AT ADJOURNMENT

HOUSE FILE 515 DEFERRED

Norland of Worth asked and received unanimous consent that House File 515 be deferred and that the bill retain its place on the calendar.

HOUSE FILE 502 DEFERRED

Norland of Worth asked and received unanimous consent that House File 502 be deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hummel of Benton, for March 22 and 23, 1983, on request of Stromer of Hancock.

CONSIDERATION OF BILLS
Regular Calendar

House File 534, a bill for an act requiring registration of certain family day care homes, adopting provisions relating to child abuse in licensed and registered care facilities, and expanding the statutory injunctive authority to group day care homes and registered family day care homes, and providing a penalty, was taken up for consideration.

Spear of Lee offered the following amendment H–3326 filed by him and moved its adoption:

H–3326

Amend House File 534 as follows:
1. Page 2, line 14, by striking the words "have good health" and inserting in lieu thereof the words "not have ~~good health~~ a disease that could cause harm to a child".

Amendment H–3326 lost.

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. 534)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf

Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Connors	Hummel	Rensink

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 254 WITHDRAWN

Mullins of Kossuth asked and received unanimous consent to withdraw House File 254 from further consideration by the House.

House File 514, a bill for an act amending the Iowa uniform securities Act, and providing a civil penalty, was taken up for consideration.

The House stood at ease at 3:03 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 514 at 4:05 p.m., Speaker Avenson in the chair.

Schroeder of Pottawattamie offered the following amendment H–3315 filed by Schroeder, et al., and moved its adoption:

H–3315

Amend House File 514 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 502.203, subsection 8, Code 1983, is amended to read as follows:

8. ~~Any~~ An offer or sale to a bank, savings institution, trust company, insurance company, investment company as defined in the Investment Company Act of 1940, pension or profit sharing trust, or other financial institution or institutional buyer, or to a broker-dealer, whether the purchaser is acting for itself or in a fiduciary capacity. However, the administrator, by rule or order, may grant or deny this exemption to a person or class of persons based upon the factors of financial sophistication, net worth, and the amount of assets under investment.

Sec. 2. Section 502.203, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 16. The administrator may create by rule a limited offering transactional exemption which furthers the objectives of compatibility with federal exemptions and uniformity among the states."

Roll call was requested by Chiodo of Polk and Sturgeon of Woodbury.

On the question "Shall amendment H—3315 be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Corey	Daggett	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Davitt
De Groot	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Pavich	Peick

Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 4:

Connors	Hummel	O'Kane	Rensink

Amendment H–3315 lost.

Schroeder of Pottawattamie offered the following amendment H–3313 filed by Schroeder, et al.:

H–3313

Amend House File 514 as follows:
1. Page 2, line 24, by striking the word "subsections" and inserting in lieu thereof the word "subsection".
2. Page 2, by striking lines 29 through 35.
3. Page 3, by striking lines 1 through 18.
4. Page 3, by striking lines 27 through 33.
5. Renumber as necessary.

Harbor of Mills in the chair at 4:40 p.m.

Speaker Avenson in the chair at 5:04 p.m.

Schroeder of Pottawattamie moved the adoption of amendment H–3313.

Roll call was requested by Schroeder of Pottawattamie and Mullins of Kossuth.

On the question "Shall amendment H–3313 be adopted?"

The ayes were, 61:

Anderson	Bennett	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carter	Chapman	Clark	Cooper
Copenhaver	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Jay	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones

Maulsby	McIntee	McKean	Menke
Muhlbauer	Mullins	Ollie	Osterberg
Paulin	Pellett	Renken	Rosenberg
Royer	Schroeder	Sherzan	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden			

The nays were, 35:

Arnould	Baxter	Carpenter	Chiodo
Cochran	Connolly	Davitt	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hughes	Jochum	Lonergan	Miller
Norland	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Running
Schnekloth	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 4:

Connors	Hummel	O'Kane	Rensink

Amendment H—3313 was adopted.

Chiodo of Polk asked for unanimous consent to rerefer House File 514 to the committee on small business and commerce.

Objection was raised.

Chiodo of Polk moved that House File 514 be rereferred to the committee on small business and commerce.

Chiodo of Polk asked and received unanimous consent to withdraw his motion to rerefer.

Hanson of Delaware offered the following amendment H—3314 filed by Hanson, et al., and moved its adoption:

H—3314

Amend House File 514 as follows:

1. Page 6, by inserting after line 4 the following:

"Sec. . Section 502.404, Code 1983, is amended to read as follows:

502.404 PROHIBITED TRANSACTIONS OF BROKER-DEALERS AND AGENTS. ~~No~~ A broker-dealer or agent shall not

effect ~~any~~ a transaction in, or induce or attempt to induce the purchase or sale of, any security in this state by means of any manipulative, deceptive or other fraudulent scheme, device, or contrivance, fictitious quotation, or in violation of this Act or any rule or order hereunder. A broker-dealer or agent shall not recommend to a customer the purchase, sale or exchange of a security without reasonable grounds to believe that the transaction or recommendation is suitable for the customer based upon reasonable inquiry concerning the customer's investment objectives, financial situation and needs, and other relevant information known by the broker-dealer."

2. Renumber as necessary.

Roll call was requested by Krewson of Polk and McKean of Jones.

On the question "Shall amendment H–3314 be adopted?"

The ayes were, 66:

Anderson	Arnould	Baxter	Bennett
Brammer	Buhr	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Daggett	Davitt
De Groot	Fey	Fogarty	Grandia
Gronstal	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Jochum
Knapp	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Muhlbauer	Mullins	Osterberg
Oxley	Parker	Paulin	Poncy
Renaud	Renken	Rosenberg	Royer
Schroeder	Sherzan	Spear	Stromer
Sullivan	Swartz	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Mr. Speaker		

The nays were, 28:

Black	Blanshan	Branstad	Carl
Carter	Corey	Diemer	Groninga
Groth	Gruhn	Hughes	Jay
Koenigs	Miller	Norland	Ollie
Pavich	Peick	Pellett	Running
Schnekloth	Shoultz	Skow	Stueland
Sturgeon	Tabor	Welden	Zimmerman

Absent or not voting, 6:

Connors	Doderer	Hummel	O'Kane
Rensink	Swearingen		

Amendment H—3314 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swearingen of Keokuk on request of Halvorson of Clayton and O'Kane of Woodbury on request of Schroeder of Pottawattamie, both for the remainder of the day.

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. 514)

The ayes were, 79:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Clark
Cochran	Connolly	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lonergan	Maulsby
McIntee	McKean	Menke	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Mr. Speaker	

The nays were, 16:

Black	Chapman	Chiodo	Doderer
Haverland	Hughes	Jay	Lloyd-Jones

Miller	Parker	Pavich	Running
Shoultz	Swartz	Tabor	Zimmerman

Absent or not voting, 5:

Connors	Hummel	O'Kane	Rensink
Swearingen			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 518, a bill for an act relating to the amount of money an individual farmer may be loaned under the soil conservation loan program, was taken up for consideration.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 518)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Tabor
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Maulsby	Welden

Absent or not voting, 6:

Connors	Hummel	O'Kane	Rensink
Swearingen	Tofte		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Groth of Buena Vista called up for consideration **House File 120,** a bill for an act relating to school year requirements, amended by the Senate, and moved that the House concur in the following Senate amendment H–3160:

H–3160

Amend House File 120 as amended, passed and reprinted by the House as follows:

1. Page 1, by inserting after line 8 the following:

"2. The board of directors shall hold a public hearing on any proposal prior to submitting it to the department of public instruction for approval.".

The motion prevailed and the House concurred in the Senate amendment H–3160.

Groth of Buena Vista moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 120)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga

Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Tabor
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 1:

Carpenter

Absent or not voting, 6:

Connors	Hummel	O'Kane	Rensink
Swearingen	Tofte		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER

(House File 37)

I move to reconsider the vote by which House File 37 passed the House on March 21, 1983.

ARNOULD of Scott

(House File 514)

I move to reconsider the vote by which House File 514 passed the House on March 22, 1983.

NORLAND of Worth

SPONSOR WITHDRAWN
(House Joint Resolution 10)

Daggett of Taylor requested to be withdrawn as a sponsor of House Joint Resolution 10.

APPOINTMENTS

Speaker Avenson announced the following appointments:

CONFIDENTIAL RECORDS COUNCIL
(Section 692.19, Code of Iowa, 1983)

Representative Virgil Corey ..... pleasure of the Speaker
Representative Richard Varn ..... pleasure of the Speaker

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-three senior students from Clay Central High School, Royal, accompanied by Lou Heller. By Fogarty of Palo Alto.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 511, a bill for an act establishing a community development loan program and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3341** March 21, 1983.

House File 512, a bill for an act to authorize the state soil conservation committee to establish a fund from which to make loans for the establishment of soil and water conservation practices and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3342** March 21, 1983.

COMMITTEE ON FINANCE

Committee Bill (Formerly Study Bill 294), relating to the authorization of the Iowa department of transportation to issue and become obligated for road use tax revenue bonds; to the creation of a highway bond fund in the office of the treasurer of state to be used to pay principal of and interest on the bonds; to the allocation of revenues in the road use tax fund to the highway bond fund, for the annual appropriation of the funds allocated to the highway bond fund for the payment of principal of and interest on the bonds; and to the deposit of the proceeds of the bonds in a separate account within the primary road fund and to the appropriation of the funds to the department of transportation for its use in funding road construction, reconstruction, and improvements, and related costs.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 21, 1983.

AMENDMENTS FILED

H—3341	H.F. 511	Committee on Appropriations
H—3342	H.F. 512	Committee on Appropriations
H—3343	H.F. 442	Spear of Lee
H—3344	H.F. 513	Spear of Lee
H—3345	H.F. 476	Copenhaver of Buchanan
H—3347	H.F. 37	Arnould of Scott Gronstal of Pottawattamie
H—3348	H.F. 443	Welden of Hardin
H—3349	H.F. 448	Swartz of Marshall Schroeder of Pottawattamie
H—3350	H.F. 515	Miller of Woodbury

On motion by Norland of Worth, the House adjourned at 5:55 p.m., until 9:00 a.m., Wednesday, March 23, 1983.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day—Forty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 23, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Phil Clinton, pastor of the Janesville United Methodist Church, Janesville.

The Journal of Tuesday, March 22, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Royer of Page on request of Harbor of Mills.

INTRODUCTION OF BILLS

House File 564, by committee on human resources, a bill for an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

Read first time and referred to committee on **ways and means.**

House File 565, by committee on judiciary and law enforcement, a bill for an act relating to parole revocations.

Read first time and placed on the **calendar.**

House File 566, by Krewson, a bill for an act relating to the coverage for mental illness under health insurance contracts.

Read first time and referred to committee on **human resources.**

House File 567, by Cochran, a bill for an act providing that fines and forfeited bail collected for weight, registration, and embargo violations be credited to the road use tax fund and providing for the

reimbursement of certain school districts which incur a loss of miscellaneous income, and making an appropriation.

Read first time and referred to committee on **appropriations.**

House File 568, by Connors, a bill for an act relating to jail inmates paying for costs of incarceration.

Read first time and referred to committee on **judiciary and law enforcement.**

House File 569, by committee on judiciary and law enforcement, a bill for an act relating to the judicial nominating commissions.

Read first time and placed on the **calendar.**

House File 570, by committee on state government, a bill for an act regarding the recording of financing statements under the uniform commercial code.

Read first time and placed on the **calendar.**

House File 571, by committee on judiciary and law enforcement, a bill for an act relating to children and obscene material and providing 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 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 83, a bill for an act relating to the service of process in civil actions and proceedings by persons other than law enforcement officers.

Also: That the Senate has on March 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 161, a bill for an act to allow a person who is an instructor at a proprietary school of a profession regulated under chapter 147 to serve on the examining board of that profession.

Also: That the Senate has on March 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 246, a bill for an act relating to city housing codes under section 364.17 by making it optional to include a program of regular rental inspections as part of the city enforcement procedures.

Also: That the Senate has on March 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 292, a bill for an act relating to qualification and compensation of court interpreters.

Also: That the Senate has on March 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 293, a bill for an act relating to the continuing education requirements of assessors and deputy assessors.

Also: That the Senate has on March 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 345, a bill for an act authorizing specified professionals to dispense and issue prescription drugs and controlled substances and to delegate nonjudgmental dispensing functions and providing a penalty.

Also: That the Senate has on March 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 407, a bill for an act relating to the eligibility for and annuities of the senior judge program.

Also: That the Senate has on March 21, 1983, passed the following bill in which the concurrence of the House is asked;

Senate File 420, a bill for an act relating to the collection of dishonored checks, drafts, or other negotiable instruments.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:08 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 11:57 a.m., until 4:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 572, by committee on judiciary and law enforcement, a bill for an act relating to the authority of the court over certain persons who committed crimes.

Read first time and placed on the **calendar.**

House File 573, by committee on judiciary and law enforcement, a bill for an act providing for the disposition of personal property in the possession of the department of public safety.

Read first time and placed on the **calendar.**

House File 574, by committee on ways and means, a bill for an act relating to the filing of an application for an exemption from the property tax for pollution-control equipment.

Read first time and referred to committee on **finance.**

House File 575, by committee on ways and means, a bill for an act relating to the rate of interest assessed as a penalty for delinquent property taxes.

Read first time and referred to committee on **finance.**

House File 576, by committee on human resources, a bill for an act permitting an adult to execute a directive to order the withholding or withdrawal of life-sustaining procedures during a terminal condition including notification of brain function death.

Read first time and placed on the **calendar.**

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on March 22, 1983 and is on file in the office of the Chief Clerk.

March 18, 1983

Mr. Joseph O'Hern, Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Mr. O'Hern:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the House.

These include 5 claims of a general nature. This supplements our filing of December 28, 1982.

Index is attached showing number of claim, name and address of claimant, amount of claim, and action taken.

Very truly yours,
Richard D. Johnson, Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Chief Clerk of the House

OFFICE STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
778-70-25	Iowa Children's & Family Services Des Moines, Iowa Payment of contract	$ 9,000.00	Disapproved
830-70-25	Ace Telephone Association E Houston, Minnesota Outdated billing	59.19	Disapproved
832-70-25	Chip Carriers, Inc. Omaha, Nebraska Vehicle Registration Refund	7,222.06	Disapproved
875-70-25	Kenneth Dale Shelton Walcott, Iowa Vehicle Registration Refund	33.00	Disapproved
896-70-25	Iowa Correctional Institution for Women Mitchellville, Iowa Reimbursement for Back Pay Awards	11,193.80	Disapproved

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 22, 1983. Had I been present, I would have voted "aye" on House File 120, amendment H—3314 to House File 514, House Files 514 and 518.

SWEARINGEN of Keokuk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

One hundred students from Creston Community High School, Creston, accompanied by Mrs. Kathryn Mueller, Mr. Lee Campbell and John Rose. By Hughes of Union.

Nineteen fifth grade students from Lohrville Community School, Lohrville, accompanied by Mark Lang. By Maulsby of Calhoun.

Thirty-seven students from St. Mary's High School, Remsen, accompanied by Father Eisele, Sister Dolores and Mrs. Al Gengler. By Paulin of Plymouth.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 302 (Revised) Finance

Relating to a statewide work relief program for unemployed Iowans.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 511, a bill for an act establishing a community development loan program and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass as amended by Appropriations Committee amendment H–3341** March 23, 1983.

House File 512, a bill for an act to authorize the state soil conservation committee to establish a fund from which to make loans for the establishment of soil and water conservation practices and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass as amended by Appropriations Committee amendment H–3342** March 23, 1983.

House File 525, a bill for an act to authorize certain persons to file a claim for the property tax credit on behalf of a deceased homeowner.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 1983.

House File 527, a bill for an act to remove the sales tax permit fee.

Fiscal Note is required.

Recommended **Do Pass** March 23, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Senate File 90, a bill for an act regulating credit union share drafts and share draft accounts.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3351** March 22, 1983.

AMENDMENTS FILED

H–3351	S.F. 90	Committee on Small Business and Commerce
H–3352	H.F. 563	Hermann of Scott Halvorson of Clayton
H–3353	H.F. 406	Welden of Hardin
H–3354	H.F. 443	Welden of Hardin
H–3355	H.F. 406	Woods of Polk
H–3356	H.F. 520	Spear of Lee
H–3357	H.F. 520	Spear of Lee
H–3358	S.F. 349	Corey of Louisa
H–3359	H.F. 406	Hanson of Delaware McKean of Jones
H–3360	H.F. 406	Schroeder of Pottawattamie
H–3361	H.F. 520	Osterberg of Linn

H—3362	H.F. 406	Hanson of Delaware McKean of Jones

On motion by Norland of Worth, the House adjourned at 4:35 p.m., until 9:00 a.m., Thursday, March 24, 1983.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day — Forty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 24, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Edward Kelly, pastor of Saints Peter and Paul Catholic Church, Atlantic.

The Journal of Wednesday, March 23, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dan Van Syoc, Davenport.

PETITIONS FILED

The following petitions were received and placed on file:

By Renken of Grundy, from thirty-two constituents opposing pari-mutuel betting in Iowa.

By Renken of Grundy, from seventy-seven constituents favoring support of Independent County Based Chemical Dependency Programs with local control.

INTRODUCTION OF BILLS

House File 577, by committee on human resources, a bill for an act permitting health maintenance organizations to advertise the names of health professionals providing health care services at the health maintenance organization.

Read first time and placed on the **calendar.**

House File 578, by committee on judiciary and law enforcement, a bill for an act relating to certain information and documents containing certain information, involving persons convicted of crimes.

Read first time and placed on the **calendar.**

House File 579, by committee on judiciary and law enforcement, a bill for an act relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

Read first time and placed on the **calendar.**

House File 580, by committee on state government, a bill for an act relating to the authority of licensing boards under the continuing education chapter.

Read first time and placed on the **calendar.**

House File 581, by committee on judiciary and law enforcement, a bill for an act relating to the penalties for the crime of theft.

Read first time and placed on the **calendar.**

House File 582, by committee on judiciary and law enforcement, a bill for an act relating to the postconviction procedure Act.

Read first time and placed on the **calendar.**

House File 583, by committee on judiciary and law enforcement, a bill for an act relating to the release of a defendant before an appearance before a magistrate.

Read first time and placed on the **calendar.**

House File 584, by committee on judiciary and law enforcement, a bill for an act relating to circumstances under which sexual abuse is sexual abuse in the second degree.

Read first time and placed on the **calendar.**

House File 585, by committee on local government, a bill for an act relating to liability of the state and municipalities of the state and of officers and employees of municipalities and of the state.

Read first time and placed on the **calendar.**

House File 586, by committee on transportation, a bill for an act relating to restricting the motor vehicle operating privileges of an individual required to show proof of financial responsibility and providing a penalty.

Read first time and placed on the **calendar.**

House File 587, by committee on transportation, a bill for an act relating to motor vehicle licenses by allowing use of minors' school licenses for travel between schools of enrollment, by exempting certain prior holders of minors' school licenses from being required to take a motorcycle education course before being issued operators' licenses, and by exempting certain prior holders of one-year probationary operators' licenses from being required to take approved driver education courses before being issued operators' licenses and providing the bill is effective upon publication.

Read first time and placed on the **calendar.**

House File 588, by committee on transportation, a bill for an act relating to the motor vehicle code by extending the time period under which a vehicle may be operated under a "registration applied for" card, by extending the time period under which a dealer may file an application for registration and certificate of title, and by allowing a dealer under certain circumstances to display for sale a motor vehicle without first having obtained a certificate of title.

Read first time and placed on the **calendar.**

SENATE MESSAGES CONSIDERED

Senate File 83, by Holden, a bill for an act relating to the service of process in civil actions and proceedings by persons other than law enforcement officers.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 161, by Carr, a bill for an act to allow a person who is an instructor at a proprietary school of a profession regulated under chapter 147 to serve on the examining board of that profession.

Read first time and referred to committee on **state government.**

Senate File 246, by Wells and Miller of Cerro Gordo, a bill for an act relating to city housing codes under section 364.17 by making it optional to include a program of regular rental inspections as part of the city enforcement procedures.

Read first time and referred to committee on **local government.**

Senate File 292, by Mann, a bill for an act relating to qualification and compensation of court interpreters.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 293, by Waldstein and Rodgers, a bill for an act relating to the continuing education requirements of assessors and deputy assessors.

Read first time and referred to committee on **local government.**

Senate File 407, by Nystrom, a bill for an act relating to the eligibility for and annuities of the senior judge program.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 420, by committee on small business and economic development, a bill for an act relating to the collection of dishonored checks, drafts, or other negotiable instruments.

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 March 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 178, a bill for an act relating to the inclusion of optometric services in health insurance policies or contracts if the vision care services or procedures are covered when performed by other health care providers.

Also: That the Senate has on March 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 273, a bill for an act to allow the movement of two trailers drawn by a motor truck up to a combined length of eighty feet on certain highways from the place of manufacture or assembly in the state to a retail dealer's place of business.

Also: That the Senate has on March 22, 1983, passed the following bill in which the oncurrence of the House is asked:

Senate File 355, a bill for an act relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management.

Also: That the Senate has on March 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 423, a bill for an act relating to workers' compensation by modifying the intoxication defense, raising the interest rate on subrogation recoveries, providing that the statute of limitations does not run on certain medical benefits and eliminating the industrial commissioner as a respondent in appeals from final agency action.

Also: That the Senate has on March 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 432, a bill for an act relating to inmate transfer hearings.

Also: That the Senate has on March 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 471, a bill for an act requiring the comptroller to adopt rules specifying the form and contents for invoices submitted by vendors to the state.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:20 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

The House stood at ease at 2:08 p.m., until the fall of the gavel.

The House resumed session at 4:47 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hummel of Benton, for March 24 and 25, 1983, on request of Stromer of Hancock.

HOUSE FILE 218 WITHDRAWN

Doderer of Johnson asked and received unanimous consent to withdraw House File 218 from further consideration by the House.

REREFERRED TO COMMITTEE ON FINANCE
(House File 532)

The Speaker announced that House File 532, recommended amend and do pass by the committee on **appropriations** at their meeting on March 24, 1983, was rereferred to the committee on **finance** under House Rule 33.

(House File 536)

The Speaker announced that House File 536, recommended do pass by the committee on **appropriations** at their meeting on March 24, 1983, was rereferred to the committee on **finance** under House Rule 33.

CONSIDERATION OF BILLS

Regular Calendar

House File 406, a bill for an act relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles, was taken up for consideration.

Welden of Hardin offered the following amendment H–3353 filed by him and moved its adoption:

H–3353

Amend House File 406 as follows:
1. Page 1, by striking lines 9 and 10 and inserting in lieu thereof the following: "ly disabled or sixty-five years of age or older ..... $6.00".

Roll call was requested by Welden of Hardin and Harbor of Mills.

On the question "Shall amendment H–3353 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Grandia	Handorf	Harbor	Hermann
Hoffmann-Bright	Hughes	Lageschulte	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Pellett	Poncy	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Davitt	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Hanson	Haverland	Holveck
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 4:

Connors	Halvorson, R. A.	Hummel	Krewson

Amendment H—3353 lost.

Woods of Polk offered the following amendment H—3355 filed by him and moved its adoption:

H—3355

Amend House File 406 as follows:

1. Page 1, line 26, by striking the figure "15.00" and inserting in lieu thereof the figures "~~15.00~~ 20.00".

2. Page 1, line 27, by striking the figure "15.00" and inserting in lieu thereof the figures "~~15.00~~ 20.00".

A non-record roll call was requested.

The ayes were 46, nays 48.

Amendment H—3355 lost.

Schnekloth of Scott rose on a point of order and invoked Rule 32, to refer House File 406 to the committee on ways and means.

The Speaker ruled the point well taken.

RULE 32 SUSPENDED

Norland of Worth asked for unanimous consent to suspend Rule 32.

Objection was raised.

Norland of Worth moved that Rule 32 be suspended to further consider House File 406.

A non-record roll call was requested.

The ayes were 58, nays 30.

The motion prevailed.

Schroeder of Pottawattamie offered amendment H—3360 filed by him and requested division as follows:

H—3360

Amend House File 406 as follows:

H—3360A

1. Page 2, line 8, by striking the figure "25.00" and inserting in lieu thereof the figure "15.00".

H—3360B

2. Page 3, line 3, by striking the figure "300.00" and inserting in lieu thereof the figure "50.00".

H—3360C

3. Page 3, line 6, by striking the figure "50.00" and inserting in lieu thereof the figure "10.00".

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3360B.

Doderer of Johnson in the chair at 5:18 p.m.

On motion by Schroeder of Pottawattamie, amendment H—3360A was adopted.

On motion by Schroeder of Pottawattamie, amendment H—3360C lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Halvorson of Clayton and Krewson of Polk on request of Harbor of Mills.

Schroeder of Pottawattamie offered amendment H—3260 filed by him and requested division as follows:

H—3260

Amend House File 406 as follows:

H—3260A

1. Page 2, line 25, by striking the figure "1.00" and inserting in lieu thereof the figure "3.00".
2. Page 2, line 28, by striking the figure "1.00" and inserting in lieu thereof the figure "3.00".
3. Page 2, line 31, by striking the figure "1.00" and inserting in lieu thereof the figure "2.00".

H—3260B

4. Page 3, line 3, by striking the figure "300.00" and inserting in lieu thereof the figure "50.00".

H—3260C

5. Page 3, line 11, by striking the figure "2.00" and inserting in lieu thereof the figure "5.00".
6. Page 3, line 14, by striking the figure "2.00" and inserting in lieu thereof the figure "7.00".
7. Page 3, line 17, by striking the figure "2.00" and inserting in lieu thereof the figure "7.00".
8. Page 3, line 19, by striking the figure "2.00"

and inserting in lieu thereof the figure "3.00".

9. Page 3, line 21, by striking the figure "2.00" and inserting in lieu thereof the figure "3.00".

10. Page 3, line 23, by striking the figure "2.00" and inserting in lieu thereof the figure "4.00".

H—3260B

11. Page 3, line 25, by striking the figure "600.00" and inserting in lieu thereof the figure "100.00".

H—3260D

12. Page 3, line 31, by striking the figure "50.00" and inserting in lieu thereof the figure "25.00".

13. Page 3, line 33, by striking the figure "100.00" and inserting in lieu thereof the figure "50.00".

14. Page 4, line 3, by striking the figure "10.00" and inserting in lieu thereof the figures "~~10.00~~ 25.00".

15. Page 4, line 5, by striking the figure "1.00" and inserting in lieu thereof the figures "~~1.00~~ 10.00".

H—3260E

16. Page 5, line 5, by inserting after the word "fund." the words "The county recorder shall require that each of its depositaries pay a service fee of twenty-five cents for each license issued which shall be deposited in the general fund of the county.".

H—3260F

17. Page 5, line 12, by inserting after the word "issued" the words "; however, a license which is valid at the beginning of an open season which goes beyond December 31 shall be valid until the conclusion of the open season or March 1 whichever comes first".

On motion by Schroeder of Pottawattamie, amendment H—3260A was adopted, placing out of order amendment H—3362 filed by Hanson of Delaware and McKean of Jones on March 23, 1983.

Hanson of Delaware offered the following amendment H—3359, to amendment H—3260B, filed by him and McKean of Jones and moved its adoption:

H–3359

Amend amendment H–3260 to House File 406 as follows:
1. Page 1, line 9, by striking the figure "50.00" and inserting in lieu thereof the figure "200.00".
2. Page 1, by striking line 24, and inserting in lieu thereof the following: "400.00".

Amendment H–3359 was adopted.

On motion by Schroeder of Pottawattamie, amendment H–3260B, as amended, was adopted.

On motion by Schroeder of Pottawattamie, amendment H–3260C was adopted.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H–3260D.

Woods of Polk offered the following amendment H–3306 filed by Woods, et al.:

H–3306

Amend House File 406 as follows:
1. By striking page 4, line 34 through page 5, line 5 and inserting in lieu thereof the following:
"Sec. . Section 110.12, Code 1983, is amended to read as follows:
110.12 FEES. The county recorder shall be responsible for all fees for the issuance of hunting and fishing licenses sold through ~~his~~ the office, or issued through ~~his~~ the office and sold by others. All unused license blanks shall be surrendered to the county recorder upon ~~his~~ demand.
The county recorder may require that a writing fee of twenty-five cents be charged for each license sold by the county recorder's office. In addition five percent of the cost for each license shall be retained by the county recorder. The writing fees and the five percent fees from the sale of licenses by the county recorder shall be deposited in the county general fund.
Sec. . Section 110.15, Code 1983, is amended to read as follows:
110.15 ACCOUNTING. Within five days after the end of each month, each county recorder shall remit to the director, all duplicate licenses and all fees

for licenses issued during the previous month less the five percent fee provided for in section 110.12. On or before the thirty-first of January each year, each county recorder shall remit to the director all unused license blanks for the previous year, and ~~he~~ shall make a final accounting for all license fees received for that period."

2. Renumber the sections as required.

Carpenter of Polk offered the following amendment H—3363, to amendment H—3306, filed by her from the floor and moved its adoption:

H—3363

Amend amendment H—3306 to House File 406 as follows:

1. Page 1, by striking lines 12 through 19 and inserting in lieu thereof the following:

"~~The county recorder may require that a writing fee of twenty-five cents may be charged for each license sold by the county recorder's office.~~ Five percent of the cost for each license shall be retained by the county recorder. The ~~writing~~ five percent fees from the sale of licenses by the county recorder shall be deposited in the county general fund."

Amendment H—3363 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Skow of Guthrie on request of Hughes of Union; Haverland of Polk on request of Ollie of Clinton, both for the remainder of the day.

Speaker Avenson in the chair at 6:02 p.m.

Woods of Polk moved the adoption of amendment H—3306, as amended.

Roll call was requested by Schnekloth of Scott and Woods of Polk.

On the question "Shall amendment H—3306 be adopted?"

The ayes were, 43:

Anderson	Baxter	Bennett	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Connolly	Corey
Daggett	De Groot	Doderer	Groninga
Gruhn	Hammond	Harbor	Hermann
Hoffmann-Bright	Holveck	Lageschulte	Maulsby
McIntee	Menke	Miller	Muhlbauer
Oxley	Paulin	Peick	Pellett
Renaud	Renken	Rensink	Royer
Running	Schnekloth	Schroeder	Sherzan
Swearingen	Van Maanen	Woods	

The nays were, 48:

Arnould	Black	Blanshan	Brammer
Chapman	Cooper	Copenhaver	Davitt
Diemer	Fey	Fogarty	Grandia
Gronstal	Groth	Halvorson, R. N.	Handorf
Hanson	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
McKean	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Pavich
Rosenberg	Shoultz	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tofte	Torrence	Van Camp	Van Gerpen
Varn	Welden	Zimmerman	Mr. Speaker

Absent or not voting, 9:

Cochran	Connors	Halvorson, R. A.	Haverland
Hummel	Krewson	Poncy	Skow
Tabor			

Amendment H—3306, as amended, lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Zimmerman of Dallas, for the remainder of the day, on request of Carl of Poweshiek.

The House resumed consideration of amendment H—3260E.

On motion by Schroeder of Pottawattamie, amendment H—3260E was adopted.

Schroeder of Pottawattamie moved the adoption of amendment H–3260F.

A non-record roll call was requested.

The ayes were 33, nays 56.

Amendment H–3260F lost.

Black of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 406)

The ayes were, 70:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hermann	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Renaud	Rosenberg	Royer
Schroeder	Sherzan	Shoultz	Sturgeon
Sullivan	Swartz	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Varn
Welden	Mr. Speaker		

The nays were, 22:

Anderson	Bennett	Branstad	Carpenter
Clark	De Groot	Grandia	Hoffmann-Bright
Maulsby	Oxley	Peick	Pellett
Renken	Rensink	Running	Schnekloth
Spear	Stromer	Stueland	Swearingen
Van Maanen	Woods		

Absent or not voting, 8:

Connors	Halvorson, R. A.	Haverland	Hummel
Krewson	Poncy	Skow	Zimmerman

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 406)

Norland of Worth asked and received unanimous consent that House File 406 be immediately messaged to the Senate.

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 March, 1983: House Files 108, 157 and 244.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

APPOINTMENTS

The Speaker announced the following appointments on March 16, 1983:

COMMUNICATIONS REVIEW COMMITTEE
(Section 2.35, Code of Iowa, 1983)

Representative Deo Koenigs ..... Term ends January 14, 1985
Representative Kyle Hummel ..... Term ends January 14, 1985
Representative Dennis Renaud ..... Term ends January 14, 1985

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 329 Finance

To allow a state income tax credit on net investment in a fund governed by a chapter 496A corporation established to administer the fund and whose board of directors is appointed by 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 310, a bill for an act relating to the limitation on state bank investments in certain bonds or notes issued by the Iowa Family Farm Development Authority.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 1983.

COMMITTEE ON APPROPRIATIONS

House File 532, a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H–3370** March 24, 1983.

House File 536, a bill for an act appropriating funds to the energy policy council for grants to local governments for energy management programs.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3378** March 24, 1983.

AMENDMENTS FILED

H–3364	H.F. 513	Gruhn of Dickinson
H–3365	H.F. 37	Brammer of Linn
H–3366	H.F. 519	Chiodo of Polk
H–3367	H.F. 508	Woods of Polk
H–3368	H.F. 417	Lageschulte of Bremer
H–3369	H.F. 446	O'Kane of Woodbury Welden of Hardin
H–3370	H.F. 532	Committee on Appropriations
H–3371	H.F. 118	Miller of Woodbury
H–3372	H.F. 118	Miller of Woodbury
H–3373	H.F. 118	Miller of Woodbury

H—3374	H.F. 417	Carpenter of Polk
H—3375	H.F. 468	Spear of Lee
H—3376	H.F. 520	Bennett of Ida
H—3377	H.F. 520	Schroeder of Pottawattamie
H—3378	H.F. 536	Committee on Appropriations
H—3379	H.F. 476	Daggett of Taylor
H—3380	H.F. 563	Connolly of Dubuque Parker of Jasper Swartz of Marshall Lloyd-Jones of Johnson
H—3381	H.F. 563	Schroeder of Pottawattamie
H—3382	H.F. 563	Branstad of Winnebago
H—3383	H.F. 563	McKean of Jones Hanson of Delaware Osterberg of Linn
H—3384	H.F. 563	McKean of Jones

On motion by Norland of Worth, the House adjourned at 6:55 p.m., until 9:00 a.m., Friday, March 25, 1983.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day—Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 25, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend David R. LaMaster, pastor of the Trinity Evangelical Lutheran Church, Webster City.

The Journal of Thursday, March 24, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Paul Searles, Manchester.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Oxley of Linn on request of Cochran of Webster.

PETITION FILED

The following petition was received and placed on file:

By Peick of Linn, from thirty-three constituents favoring Senate File 92, permitting pari-mutuel betting in Iowa.

INTRODUCTION OF BILLS

House File 589, by committee on transportation, a bill for an act to repeal the requirement of a court appearance by a motor vehicle operator charged with speeding in excess of twenty miles per hour over the speed limit.

Read first time and placed on the **calendar.**

House File 590, by committee on state government, a bill for an act relating to the requirements that certain buildings be designed by registered architects.

Read first time and placed on the **calendar.**

House File 591, by Doderer, Connors, Hammond, Clark, Sturgeon, Lonergan, Carpenter, Peick, Gruhn, Mullins, Baxter, Zimmerman, Carl, Chapman, Arnould, Blanshan, Lloyd-Jones, Hoffmann-Bright, Buhr, Rosenberg, Jay and Sullivan, a bill for an act prohibiting the general assembly from passing any bill that uses gender as the basis for differential treatment.

Read first time and referred to committee on **state government.**

House File 592, by committee on agriculture, a bill for an act relating to securities exempt from registration under the Iowa uniform securities Act.

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 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 380, a bill for an act relating to projects for which industrial revenue bonds may be issued by a city or county.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 414, a bill for an act relating to insurance coverage for mental health services provided by licensed psychologists.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 431, a bill for an act relating to the Iowa commission on the aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 434, a bill for an act relating to funds deposited by city utilities and combined utility systems and regional libraries, and providing an effective date upon publication.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 457, a bill for an act relating to the campaign finance disclosure commission.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 479, a bill for an act relating to the sentences of offenders by providing that the supreme court has the power to prescribe certain sentencing advisory rules.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 485, a bill for an act requiring director districts of certain school districts to be redistricted following each federal decennial census.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 503, a bill for an act relating to inmates in correctional facilities.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 509, a bill for an act relating to the collection of the Iowa corn and soybeans assessment at the time corn and soybeans are pledged to secure a loan extended under a federal price support loan program.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 563, a bill for an act relating to the authorization of the Iowa department of transportation to issue and become obligated for road use tax revenue bonds; to the creation of a highway bond fund in the office of the treasurer of state to be used to pay principal of and interest on the bonds; to the allocation of revenues in the road use tax fund to the highway bond fund, for the annual appropriation of the funds allocated to the highway bond

fund for the payment of principal of and interest on the bonds; and to the deposit of the proceeds of the bonds in a separate account within the primary road fund and to the appropriation of the funds to the department of transportation for its use in funding road construction, reconstruction, and improvements, and related costs, was taken up for consideration.

Norland of Worth asked and received unanimous consent that House File 563 be deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Halvorson of Clayton and Krewson of Polk on request of Stromer of Hancock.

REFERRED TO COMMITTEE ON WAYS AND MEANS
(House File 520)

The Speaker announced that House File 520, presently on the regular calendar, was referred to the committee on **ways and means.**

The House stood at ease at 9:25 a.m., until the fall of the gavel.

The House resumed session at 2:30 p.m., Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 593, by committee on agriculture, a bill for an act to establish a moratorium on certain provisions of the chapter on land preservation and use effective upon publication.

Read first time and placed on the **calendar.**

House File 594, by committee on energy, a bill for an act relating to differences between rules of the water, air and waste management commission and federal rules and regulations for environmental programs.

Read first time and placed on the **calendar.**

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 24, 1983. Had I been present, I would have voted "nay" on House File 406.

PONCY of Wapello

APPOINTMENTS

The Speaker announced the following appointments:

IOWA BOUNDARY COMMISSION
(Section 2.91, Code of Iowa, 1983)

Representative James Anderson ..... to fill an unexpired term ending June 30, 1984
Representative Emil Pavich ..... to fill an unexpired term ending June 30, 1986

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

IOWA ENERGY POLICY COUNCIL

The 1982 Annual Report of the Iowa Energy Policy Council, pursuant to Chapter 93.7(4), Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

House File 511

Appropriations: Jochum, Chair; Welden and Arnould.

House File 511

Finance: Jochum, Chair; Chiodo and Krewson.

House File 512

Appropriations: Jochum, Chair; Welden and Carter.

House File 512

Finance: Halvorson of Webster, Chair; Branstad and Norland.

House File 525

Finance: Doderer, Chair; Halvorson of Webster and Krewson.

House File 527

Finance: Doderer, Chair; Halvorson of Webster and Hanson.

House File 532

Appropriations: Groth, Chair; Carter and Stueland.

House File 532

Finance: Halvorson of Webster, Chair; Branstad and Connolly.

House File 536

Appropriations: Jochum, Chair; Arnould and Welden.

House File 536

Finance: Jochum, Chair; Arnould and Krewson.

House File 550

Local Government: O'Kane, Chair; Buhr and Swearingen.

House File 562

Finance: Connolly, Chair; Branstad and Norland.

House File 574

Finance: Doderer, Chair; Halvorson of Webster and Hanson.

House File 575

Finance: Doderer, Chair; Halvorson of Webster and Hanson.

Senate Joint Resolution 10

Education: Haverland, Chair; Carl and Menke.

Senate Concurrent Resolution 13

Finance: Connolly, Chair; Branstad and Jochum.

Senate File 5

State Government: Swearingen, Chair; Pavich and Woods.

Senate File 10

Judiciary and Law Enforcement: Clark, Chair; Knapp and Schroeder.

Senate File 19

Education: Shoultz, Chair; Van Gerpen and Varn.

Senate File 24

Judiciary and Law Enforcement: Hammond, Chair; Corey and Holveck.

Senate File 73

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

Senate File 151

Labor and Industrial Relations: Sherzan, Chair; Brammer and Hermann.

Senate File 166

Judiciary and Law Enforcement: Chapman, Chair; Jay and McKean.

Senate File 202

Transportation: Koenigs, Chair; Miller and Van Maanen.

Senate File 225

Small Business and Commerce: Schroeder, Chair; Knapp and Skow.

Senate File 266

Education: Buhr, Chair; Hughes and Swearingen.

Senate File 295

State Government: Arnould, Chair; Halvorson of Webster and Krewson.

Senate File 303

Transportation: Muhlbauer, Chair; Harbor and Lloyd-Jones.

Senate File 327

State Government: Chapman, Chair; Halvorson of Webster and Hanson.

Senate File 359

Judiciary and Law Enforcement: Haverland, Chair; Brammer and Maulsby.

Senate File 360

Judiciary and Law Enforcement: Knapp, Chair; Holveck and McIntee.

Senate File 368

Natural Resources: Groth, Chair; Stueland and Tabor.

Senate File 369

State Government: Hammond, Chair; Blanshan and Rensink.

Senate File 387

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

Senate File 391

State Government: Hammond, Chair; Hoffmann-Bright and Pavich.

Senate File 401

Small Business and Commerce: Groninga, Chair; Chapman and Diemer.

Senate File 412

Human Resources: Spear, Chair; Clark, Connors, Hermann and Sherzan.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 302 (Revised)

Finance: Connolly, Chair; Arnould and Krewson.

Study Bill 329

Finance: Chiodo, Chair; Hanson and Norland.

AMENDMENTS FILED

H—3385	H.F. 563	Schroeder of Pottawattamie McIntee of Black Hawk
H—3386	H.F. 563	Bennett of Ida
H—3387	H.F. 563	Bennett of Ida
H—3388	H.F. 563	Schroeder of Pottawattamie

H—3389	H.F. 563	Rosenberg of Story O'Kane of Woodbury Gronstal of Pottawattamie Pavich of Pottawattamie Osterberg of Linn Varn of Johnson
H—3390	H.F. 563	Schroeder of Pottawattamie
H—3391	H.F. 563	Connolly of Dubuque
H—3392	H.F. 563	Davitt of Warren
H—3393	H.F. 563	Harbor of Mills
H—3394	H.F. 563	Harbor of Mills
H—3395	H.F. 563	Schroeder of Pottawattamie
H—3396	H.F. 563	Clark of Cerro Gordo
H—3397	H.F. 563	Carpenter of Polk McKean of Jones McIntee of Black Hawk Hanson of Delaware Schnekloth of Scott Hoffmann-Bright of Muscatine Van Camp of Scott Hermann of Scott Van Gerpen of Black Hawk
H—3398	H.F. 563	McKean of Jones
H—3399	H.F. 563	Schnekloth of Scott
H—3400	H.F. 563	Schnekloth of Scott
H—3401	H.F. 563	Hanson of Delaware
H—3402	H.F. 563	Schroeder of Pottawattamie
H—3403	H.F. 528	Spear of Lee
H—3404	H.F. 533	O'Kane of Woodbury
H—3405	H.F. 511	O'Kane of Woodbury
H—3406	H.F. 563	Connolly of Dubuque Swartz of Marshall

On motion by Norland of Worth, the House adjourned at 2:36 p.m., until 10:00 a.m., Monday, March 28, 1983.

JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day — Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 28, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend John Gilmore, pastor of the Our Savior United Presbyterian Church, Le Claire.

The House offered a moment of silent prayer in memory of Frank T. Nye, former legislative correspondent for The Cedar Rapids Gazette for many years.

The Journal of Friday, March 25, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, for a portion of the morning, on request of Baxter of Des Moines; Jay of Appanoose on request of Rosenberg of Story and Tofte of Winneshiek on request of Bennett of Ida, both for a portion of the day.

PETITION FILED

The following petition was received and placed on file:

By Peick of Linn, from thirty-two constituents of the 52nd District favoring House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

INTRODUCTION OF BILLS

House File 595, by committee on judiciary and law enforcement, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony.

Read first time and placed on the **calendar.**

House File 596, by committee on education, a bill for an act relating to the requirements for, issuance, and termination of extracurricular contracts.

Read first time and placed on the **calendar.**

House File 597, by committee on judiciary and law enforcement, a bill for an act relating to reconsideration of sentence.

Read first time and placed on the **calendar.**

House File 598, by committee on judiciary and law enforcement, a bill for an act relating to altering, defacing, or removing a serial or identification mark or number and providing penalties.

Read first time and placed on the **calendar.**

House File 599, by committee on transportation, a bill for an act relating to the mandatory revocation of the driving privileges of a person convicted of a felony in which a motor vehicle was used in committing the crime.

Read first time and placed on the **calendar.**

House File 600, by committee on transportation, a bill for an act providing for the issuance of special registration plates, without cost, to the commander of the recently commissioned battleship USS Iowa which contain the letters and numerals "BB61".

Read first time and placed on the **calendar.**

House File 601, by committee on judiciary and law enforcement, a bill for an act relating to appeal of bond set after parole revocation.

Read first time and placed on the **calendar.**

House File 602, by committee on natural resources, a bill for an act repealing the requirement for a study to determine the percentage of motor fuel tax collected that derives from motor fuel used in watercraft.

Read first time and placed on the **calendar.**

SPECIAL COMMUNICATION

March 28, 1983

To: Members and Staff of the Iowa House of Representatives, 70th General Assembly

For the floral tribute, memorial contributions, House Resolution 6 and the expressions of sympathy evidenced by the cards, letters and telephone calls encouraging us to look to a brighter tomorrow; and

For all the prayers that sustained us; and

For the representation of members and staff at the services for our son and brother, Ensign Daniel Hummel;

We wish to express to each of you our heartfelt appreciation. Your acts of kindness will be a part of our memories forever.

Representative and Mrs. Kyle Hummel and family.

PRESENTATION OF 1983 IOWA JUNIOR MISS

Spear of Lee escorted to the Speaker's station and presented to the House the 1983 Iowa Junior Miss, Shelly Elmore from Fort Madison, Iowa. A Certificate of Recognition was presented to her from the House extending congratulations and good wishes as she represents Iowa in the National Junior Miss Contest.

The House rose and expressed its appreciation.

Miss Elmore addressed the House briefly.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-three members present, seventeen absent.

The House stood at ease at 10:48 a.m., until the fall of the gavel.

The House resumed session at 11:20 a.m., Speaker Avenson in the chair.

CONSIDERATION OF BILLS
Regular Calendar

The House resumed consideration of **House File 563**, a bill for an act relating to the authorization of the Iowa department of transportation to issue and become obligated for road use tax revenue bonds; to the creation of a highway bond fund in the office of the treasurer of state to be used to pay principal of and interest on the bonds; to the allocation of revenues in the road use tax fund to the highway bond fund, for the annual appropriation of the funds allocated to the highway bond fund for the payment of principal of and interest on the bonds; and to the deposit of the proceeds of the bonds in a separate account within the primary road fund and to the appropriation of the funds to the department of transportation for its use in funding road construction, reconstruction, and improvements, and related costs, deferred March 25, 1983.

Connolly of Dubuque asked for unanimous consent to withdraw amendment H—3380 filed by Connolly, et al., on March 24, 1983.

Objection was raised.

Halvorson of Webster rose on a point of order that amendment H—3380 was not germane.

The Speaker ruled the point well taken and amendment H—3380 not germane, placing out of order the following amendments, to amendment H—3380, all filed on March 25, 1983:

H—3385, to page 1, filed by Schroeder of Pottawattamie and McIntee of Black Hawk.
H—3394, to page 1, filed by Harbor of Mills.
H—3390, to page 1, filed by Schroeder of Pottawattamie.
H—3402, to page 1, filed by Schroeder of Pottawattamie.
H—3399, to page 1, filed by Schnekloth of Scott.
H—3400, to page 1, filed by Schnekloth of Scott.
H—3395, to page 1, filed by Schroeder of Pottawattamie.
H—3391, to page 1, filed by Connolly of Dubuque.
H—3388, to page 1, filed by Schroeder of Pottawattamie.
H—3398, to page 2, filed by McKean of Jones.
H—3392, to page 2, filed by Davitt of Warren.
H—3387, to page 3, filed by Bennett of Ida.
H—3386, to page 5, filed by Bennett of Ida.

H—3396, to page 5, filed by Clark of Cerro Gordo.
H—3393, to page 7, filed by Harbor of Mills.
H—3397, to page 7, filed by Carpenter, et al.
H—3389, to page 8, filed by Rosenberg, et al.
H—3401, to page 8, filed by Hanson of Delaware.

Bennett of Ida moved that House File 563 be referred to the committee on ways and means.

Roll call was requested by Bennett of Ida and Halvorson of Clayton.

On the question "Shall the motion to refer to committee prevail?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 56:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 6:

Clark	Copenhaver	Jay	O'Kane
Sturgeon	Tofte		

The motion lost.

(House File 563 pending at recess.)

On motion by Norland of Worth, the House was recessed at 12:02 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 28, 1983, passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 9, proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 281, a bill for an act relating to the requirement of notification of immunization of school children.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 304, a bill for an act relating to the time limit for petitioning for judicial review of a no-probable-cause decision of the Iowa civil rights commission.

Also: That the Senate has on March 24, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 400, a bill for an act relating to the appointment of the director of the office of planning and programming.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 428, a bill for an act to legalize the proceedings of the board of directors of the Indian Hills Community College.

Also: That the Senate has on March 24, 1983, passed (with amendment S–3236

adopted) the following bill in which the concurrence of the House is asked:

Senate File 433, a bill for an act relating to the rule against perpetuities.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 435, a bill for an act relating to the regulating of fees and filing requirements of business entities.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 436, a bill for an act relating to the membership of the council on social services.

Also: That the Senate has on March 24, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 441, a bill for an act relating to eminent domain procedures by providing constructive notice to possible purchasers that land is subject to condemnation proceedings, clarifying responsibilities for recording condemnation proceedings, and specifying the time at which title to property passes following condemnation.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 453, a bill for an act relating to the staggered registration of vehicles.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 459, a bill for an act providing for reasonable attorney fees for a mechanic's lien action.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 463, a bill for an act permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous or disturbing behavior.

Also: That the Senate has on March 24, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 467, a bill for an act to remove the limitation on the number of gifted and talented children that can be identified for programs in school districts.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 481, a bill for an act relating to the court fees charged and collected as the journal publication fee.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 494, a bill for an act providing that retired district associate judges may be assigned temporary duties.

Also: That the Senate has on March 28, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 7, requesting Congress to revise regulations pertaining to health care of veterans exposed to atomic radiation.

Also: That the Senate has on March 28, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 19, honoring Frank Miller, Pulitzer Prize winning cartoonist, and his memory.

Also: That the Senate has on March 28, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 21, petitioning the President of the United States to reassert its chartered mandate to release funds for economic emergency loans under the Farmers Home Administration.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 7
By Holt

Whereas, there are approximately 250,000 veterans in the United States who were exposed to atomic radiation during the occupation of Japan and in conjunction with at least 235 atmospheric nuclear weapons tests conducted in the 1940's and 1950's and up to as recently as 1962; and

Whereas, these veterans are now suffering myriad health problems including cancer, degenerative bone and nerve diseases, intestinal disorders, blood and respiratory diseases, emotional problems, and birth defects in children and grandchildren; and

Whereas, these veterans have typically been hesitant to come forward for fear of prosecution under secrecy statutes and possible loss of employee medical benefits and diminished employment potential; and

Whereas, regulations published by the United States Veterans Administration on December 2, 1981, pertaining to the provision of health care to veterans exposed to atomic radiation do not address health symptoms other than cancer; and

Whereas, current United States Veterans Administration regulations have been used to deny 98 percent of the claims by veterans for health care and compensation; and

Whereas, under these regulations, it is incumbent upon the veteran to prove his or her exposure to atomic radiation through his or her own initiative in securing records that often are incomplete or missing entirely; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Iowa General Assembly respectfully memorializes

Page 2

the President and Congress of the United States to direct the Administrator of the Veterans Administration to revise the current regulations of the Veterans Administration regarding the provision of health care to veterans exposed to atomic radiation to fully recognize the body of medical evidence associating exposure to atomic radiation with a wide range of health effects; and

Be It Further Resolved, That the Iowa General Assembly further respectfully requests that other appropriate agencies and resources of the United States be brought to bear in an investigation of the health and genetic complaints of veterans exposed to atomic radiation and of the apparent loss of records and documentation pertaining to exposure of individuals and military units; and

Be It Further Resolved, That the Secretary of the Senate transmit a copy of the resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from Iowa in the Congress of the United States, and to the Administrator of the Veterans Administration.

Laid over under Rule 25.

SENATE CONCURRENT RESOLUTION 19
By Gentleman and Readinger

Whereas, Frank Miller, Pulitizer Prize winning cartoonist for the Des Moines Register for nearly thirty years, passed away in February of this year; and

Whereas, Frank Miller was the recipient of numerous awards throughout the years and he and his memory are loved by thousands, both those who personally knew him and those who did not; and

Whereas, Frank Miller possessed the talent and capability of addressing in his cartoons complex subjects in a simple, understanding and meaningful manner and was able to express the thoughts of others with simple caricatures which often had a greater impact than did many writings on a particular issue; and

Whereas, the talents and skills of Frank Miller extended not only to his ability to produce timely cartoons, but he also produced many wonderful and enjoyable watercolors for the front page of the Des Moines Register; and

Whereas, the general assembly, its members, and its actions were frequently the object of Frank Miller's cartoons; and

Whereas, the cartoons of Frank Miller undoubtedly affected actions of the general assembly; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the general assembly pay tribute to Frank Miller and his memory and recognize the contributions Frank Miller made to Iowa and its citizens; and

Page 2

Be It Further Resolved, That a copy of this resolution be forwarded to Frank Miller's wife, Catherine, and his two daughters, Melissa and Melinda.

Laid over under Rule 25.

SENATE CONCURRENT RESOLUTION 21
By Committee on Agriculture

Whereas, the farmers home administration has an unexpended balance of six hundred million dollars in its emergency loan account; and

Whereas, a large number of farm and rural business borrowers are under stress due in part to federal use of high interest rates as a tool in its program to curb inflation; and

Whereas, it is necessary for farmers and rural businesses to have access to inexpensive capital on an emergency basis; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the president of the United States is petitioned to reevaluate current economic conditions and urge

the farmers home administration to reassert its chartered mandate as the lenders of last resort and release the six hundred million dollars for economic emergency loans that it has impounded and to review current emergency lending standards with the intent of aiding farmers and business people who were and are adversely affected by the federal reserve's interest policies of the past five years.

Laid over under Rule 25.

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 563,** a bill for an act relating to the authorization of the Iowa department of transportation to issue and become obligated for road use tax revenue bonds; to the creation of a highway bond fund in the office of the treasurer of state to be used to pay principal of and interest on the bonds; to the allocation of revenues in the road use tax fund to the highway bond fund, for the annual appropriation of the funds allocated to the highway bond fund for the payment of principal of and interest on the bonds; and to the deposit of the proceeds of the bonds in a separate account within the primary road fund and to the appropriation of the funds to the department of transportation for its use in funding road construction, reconstruction, and improvements, and related costs pending at recess.

McKean of Jones offered the following amendment H–3383 filed by McKean, et al., and moved its adoption:

H–3383

Amend House File 563 as follows:

1. Page 1, line 8, by striking the word "construct,".

2. Page 1, line 10, by striking the words ", including acquiring rights-of-way for them,".

3. Page 1, line 16, by striking the word ", construct,".

4. Page 1, line 24, by striking the word "construction,".

5. Page 1, by striking lines 31 and 32 and inserting in lieu thereof the words "to improve existing roadways,".

6. Page 1, line 33, by striking the word "construct,".

7. Page 2, line 1, by striking the word "costruct,".

8. Page 2, line 17, by striking the words "surfacing and".

9. Page 2, by striking lines 20 and 21 and inserting in lieu thereof the words "of primary roads and bridges."

10. Page 3, line 10, by inserting after the word "department." the words "The proceeds from the sale of bonds shall be expended for those projects which involve the reconstruction or improvement of existing primary roads and bridges."

11. Title page, line 13, by striking the word "construction,".

Roll call was requested by McKean of Jones and Halvorson of Webster.

Rule 76 was invoked.

On the question "Shall amendment H–3383 be adopted?"

The ayes were, 46:

Anderson	Bennett	Blanshan	Branstad
Carpenter	Carter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Osterberg
Oxley	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Skow	Stromer	Stueland	Sturgeon
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen		

The nays were, 54:

Arnould	Baxter	Black	Brammer
Buhr	Carl	Chapman	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Parker	Pavich	Peick	Poncy

Renaud	Rosenberg	Running	Sherzan
Shoultz	Spear	Sullivan	Swartz
Tabor	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, none.

Amendment H—3383 lost.

Schroeder of Pottawattamie offered amendment H—3381 filed by him and requested division as follows:

H—3381

Amend House File 563 as follows:

H—3381A

1. Page 2, line 24, by striking the words ", notes, and other obligations" and inserting in lieu thereof the words "and notes".

H—3381B

2. Page 3, line 1, by inserting after the word "exceed" the words "a total of".

3. Page 3, lines 5 and 6, by striking the words "outstanding at any time".

H—3381C

4. Page 6, line 1, by striking the words "redemption, or other matter" and inserting in lieu thereof the words "or redemption of the bonds."

5. Page 6, by striking lines 2 and 3.

H—3381D

6. Page 6, by striking lines 10 through 12.

H—3381E

7. Page 6, line 18, by striking the words "all or any".

H—3381F

8. Page 6, line 20, by inserting after the word "constitution" the words ", the use tax on motor vehicles, trailers, and motor vehicle accessories

and equipment, and up to one cent per gallon of the motor fuel and special fuel tax".

H—3381G

9. Page 7, line 4, by striking the word "may" and inserting in lieu thereof the word "shall".

H—3381H

10. Page 7, line 4, by inserting after the word "given." the words "These procedures, if any, shall be specified on the bonds."

Schroeder of Pottawattamie moved the adoption of amendment H—3381A.

A non-record roll call was requested.

The ayes were 35, nays 55.

Amendment H—3381A lost.

Schroeder of Pottawattamie moved the adoption of amendment H—3381B.

A non-record roll call was requested.

The ayes were 39, nays 59.

Amendment H—3381B lost.

Schroeder of Pottawattamie moved the adoption of amendment H—3381C.

A non-record roll call was requested.

The ayes were 36, nays 52.

Amendment H—3381C lost.

Connors of Polk in the chair at 4:00 p.m.

On motion by Schroeder of Pottawattamie, amendment H—3381D lost.

On motion by Schroeder of Pottawattamie, amendment H—3381E lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3381F.

Connolly of Dubuque offered the following amendment H—3406 filed by him and Swartz of Marshall:

H—3406

Amend House File 563 as follows:
1. Page 6, line 22, by inserting after the word "fund" the words "with the moneys credited to the highway bond fund each fiscal year being deemed from the road use tax fund allocation to the primary road fund for that fiscal year".
2. Page 6, line 29, by inserting after the word "fund" the words "with the moneys credited to the highway bond fund each fiscal year being deemed from the road use tax fund allocation to the primary road fund for that fiscal year".
3. Page 8, line 26, by inserting after the word "year" the words "with the moneys credited each fiscal year to the highway bond fund coming from the road use tax fund allocation to the primary road fund for that fiscal year".
4. Page 8, line 34, by inserting after the word "outstanding" the words "with the moneys credited each fiscal year to the highway bond fund coming from the road use tax fund allocation to the primary road fund for that fiscal year".

Connolly of Dubuque offered the following amendment H—3408, to amendment H—3406, filed by him from the floor and moved its adoption:

H—3408

Amend amendment H—3406 to House File 563 as follows:
1. Page 1, line 12, by inserting after the word "the" the word "first".

Amendment H—3408 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3414, to amendment H—3406, filed by him from the floor:

H—3414

Amend amendment H—3406 to House File 563 as follows:

1. Page 1, by inserting after line 21 the following:

" . Page 13, by inserting after line 27 the following sections:

"Sec. 31. Chapter 324, Code 1983, is amended by adding sections 32 through 38 as a new division.

Sec. 32. NEW SECTION. 324.100 LEGISLATIVE FINDINGS. It is the finding of the general assembly that the development of a stable, efficient, and economically viable fuel alcohol industry in this state is in the best interests of the state and the nation because:

1. The demand for petroleum energy sources remains high in this state and the nation despite significant conservation efforts.

2. The continued dependency on foreign sources for these energy resources compromises our national defense capabilities.

3. Continued purchases of foreign energy resources causes a substantial flow of revenue from this state and the nation.

4. Supplies of traditional nonrenewable energy resources and especially petroleum energy resources are being depleted.

5. Fuel alcohol represents a renewable energy resource which can be produced and consumed in this state and our nation using present technologies.

6. The development of an ethanol industry would benefit the economies of this state and the nation.

In view of these considerations, the general assembly endorses the development of a fuel alcohol industry in this state and enacts this law to assist this industry through the stimulation of the fuel alcohol market.

Sec. 33. NEW SECTION. 324.101 DEFINITIONS. As used in this division, unless the context otherwise requires:

1. "Ethanol" means ethyl alcohol distilled from agricultural products grown in the United States which is intended to be and is capable of being used for the purpose of propelling or running by combustion, internal combustion engines.

2. "Ethanol producer" means a producer of ethanol in this state that uses agricultural products grown in this state for the production of ethanol.

3. "Permit holder" means an ethanol producer who holds a valid ethanol production incentive permit issued by the department of revenue.

4. "Fiscal year" means the twelve-month period

Page 2

beginning July 1 of each year.

Sec. 34. NEW SECTION. 324.102 APPROPRIATION—ETHANOL PRODUCTION INCENTIVE FUND. There is credited annually as provided in section 39 of this Act an amount necessary to pay the production incentive provided in section 324.104 with a maximum annual amount to be credited of five hundred thousand dollars. These moneys shall be credited to the "ethanol production incentive fund" which is hereby created and the fund shall be distributed as provided in this division.

Sec. 35. NEW SECTION. 324.103 ETHANOL PRODUCTION INCENTIVE PERMIT. An ethanol producer, before receiving incentive funds under this division, shall obtain an ethanol production incentive permit from the department of revenue. Application for the permit shall be made to the department of revenue on a form provided by the department of revenue. The application shall include the name and address of the applicant, an estimate of the annual ethanol producton of the applicant, and any other information required under rules of the department of revenue. The department of revenue, when satisfied that the applicant has met all requirements, shall issue an ethanol production incentive permit to the applicant. An ethanol production incentive permit expires on June 30 of each year, unless sooner revoked by the department of revenue. An ethanol production incentive permit shall not be assigned by a permit holder. No more than one person or entity may claim a production incentive for ethanol produced at a given production facility during the same fiscal year. Each person is entitled to only one permit and all ethanol produced at all production facilities within this state shall be reported under a single permit. If separate ethanol production facilities are owned by separate business enterprises and the separate business enterprises are controlled or owned by the same person, all such ethanol production facilities shall be considered as being under single ownership, and all of the ethanol production shall be reported under a single permit.

Sec. 36. NEW SECTION. 324.104 PRORATION OF ETHANOL PRODUCTION INCENTIVE FUND. An ethanol producer is entitled to receive quarterly from the director of revenue a production incentive from the ethanol production incentive fund for the first one hundred thousand gallons of ethanol produced by the ethanol producer during each fiscal year. The production incentive for each ethanol producer for eligible gallons of ethanol produced during a fiscal year is

Page 3

fifteen cents per gallon for ethanol which is at least one hundred proof but less than one hundred eighty proof and twenty-five cents per gallon for ethanol which is at least one hundred eighty proof. However, an ethanol producer is entitled to the production incentive only for ethanol which is produced for the first time by the ethanol producer and not blended with gasoline or other motor fuels, and only for ethanol produced during months that the producer holds a valid ethanol production incentive permit. The incentive payment is subject to proration as provided in this section. In order to qualify for an incentive payment for ethanol produced during a quarter, a permit holder shall, within thirty days of the conclusion of the quarter, certify to the director of revenue the number of gallons and proof of ethanol produced by the permit holder in the state, and shall submit or revise an estimate of the holder's fiscal year ethanol production. Incentive payments shall be paid by the director of revenue to qualified permit holders within sixty days of receipt of the holder's certification. The director of revenue shall estimate the anticipated ethanol production by permit holders in the state, and if the director finds that the production of ethanol is such that moneys appropriated for the ethanol production incentive fund are not sufficient to permit payment of the full production incentive, the director of revenue shall distribute the ethanol production incentive fund payment for each permit holder in a manner that the annual appropriation is prorated to each permit holder based on the ratio that the permit holder's ethanol production bears to the total ethanol production by permit holders in the state. However, the director of revenue shall not include in this calculation production of ethanol by a permit holder in excess of one hundred thousand gallons per fiscal year.

Sec. 37. NEW SECTION. 324.105 RULES. The department of revenue shall adopt rules pursuant to chapter 17A as necessary to administer this division.

Sec. 38. NEW SECTION. 324.106 FRAUD—PERMIT REVOCATION—CIVIL PENALTY. An ethanol producer who knowingly makes false certification of ethanol production, false claim, or false application under section 324.103 or 324.104 is not eligible to receive a production incentive under this division. The producer shall pay to the department of revenue an amount equal to the production incentive received by the producer for production during the quarter in which the producer made false certification, false

Page 4

claim, or false application, plus interest from the date of falsification at the rate set under section 421.7 and shall in addition pay to the department of revenue a civil penalty of five hundred dollars. The amounts due under this section may be collected and determined as provided in sections 422.26 and 422.54. The ethanol production incentive permit shall be revoked by the department of revenue for any ethanol producer who is ineligible under this section to receive a production incentive and the ethanol producer shall remain ineligible to receive an ethanol production incentive permit in subsequent years.

Sec. 39. Section 423.24, Code 1983, is amended to read as follows:

423.24 DEPOSIT OF REVENUE. All revenue arising under the operation of this chapter, derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment, as same may be collected as provided by section 423.7 shall be credited to the road use tax fund except that for each of the fiscal years in the period beginning July 1, 1983 and ending June 30, 1988 a maximum of five hundred thousand dollars shall be credited to the ethanol production incentive fund. All other revenue arising under the operation of this chapter shall be credited to the general fund of the state.

Sec. . Sections 31 through 38 are effective for ethanol produced in this state on or after July 1, 1983.

Sec. . Sections 31 through 38 are repealed effective July 1, 1988. However, claims arising under section 324.104 prior to July 1, 1988, shall be paid in the manner provided in the repealed section 324.104 during the fiscal quarter beginning July 1, 1988 and ending September 30, 1988."

. Title page, line 14, by inserting after the word "costs" the words "and providing for an ethanol production incentive program"."

Connolly of Dubuque rose on a point of order that amendment H—3414 was not germane.

The Speaker ruled the point well taken and amendment H—3414 not germane.

Schroeder of Pottawattamie offered the following amendment H—3415, to amendment H—3406, filed by him from the floor:

H–3415

Amend amendment H–3406 to House File 563 as follows:

1. Page 1, by inserting after line 21 the following:

" . Page 13, by inserting after line 27 the following:

"Sec. . Notwithstanding section 423.24, the treasurer of state shall deposit all revenue derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment collected under section 423.7 for the fiscal year beginning July 1, 1983 and ending June 30, 1984 in the manner provided in this section. The treasurer of state shall credit one million dollars collected to a special fund with the department of transportation to be used for public transit purposes to implement a state assistance plan and shall credit ten million dollars of the tax receipts collected to the special railroad facility fund created under section 307B.23. Any additional moneys collected under section 423.7 in the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall be credited to the road use tax fund.

The funds transferred to the special railroad facility fund during the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall be considered as an interest free loan to this fund. The loan shall be used to purchase railroad right-of-way and trackage facilities in the fiscal year beginning July 1, 1983 and ending June 30, 1984 and the loan shall be repaid from the proceeds derived from the railroad right-of-way and trackage facilities. However, if the loan is not spent during that fiscal year for the purchase of railroad right-of-way and trackage facilities the amount not so spent shall revert to the road use tax fund on June 30, 1984."

. Title page, line 14, by inserting after the word "costs" the words "and providing that certain use tax revenues collected shall be credited with the department of transportation for public transit assistance and to the special railroad facility fund to purchase railroad right-of-way and trackage facilities"."

Connolly of Dubuque rose on a point of order that amendment H–3415 was not germane.

The Speaker ruled the point well taken and amendment H–3415 not germane.

Schroeder of Pottawattamie moved that the rules be suspended to consider amendment H–3415.

Roll call was requested by Schroeder of Pottawattamie and Lageschulte of Bremer.

Rule 76 was invoked.

On the question "Shall the rules be suspended to consider amendment H–3415?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, none.

The motion lost.

Schroeder of Pottawattamie offered the following amendment H–3409, to amendment H–3406, filed by him from the floor and moved its adoption:

H–3409

Amend amendment H–3406 to House File 563 as follows:

1. Page 1, by inserting after line 6 the following:

" . Page 6, line 22, by inserting after the word "fund." the words "However, the amount of moneys that may be pledged shall not exceed the amount of revenues collected from two cents of the state motor fuel tax or motor fuel and special fuel in the previous fiscal year." "

2. Page 1, by inserting after line 11 the following:

" . Page 6, line 29, by inserting after the word "fund." the words "However, the amount of moneys that may be pledged shall not exceed the amount of revenues collected from two cents of the state motor fuel tax or motor fuel and special fuel in the previous fiscal year." "

3. Page 1, by inserting after line 21 the following:

" . Page 8, line 34, by inserting after the word "outstanding." the words "However, the amount that may be pledged and annually appropriated shall not exceed the amount of revenue collected from two cents of the state motor fuel tax on motor fuel and special fuel in the previous fiscal year." "

Roll call was requested by Schroeder of Pottawattamie and Tofte of Winneshiek.

On the question "Shall amendment H–3409 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	

The nays were, 58:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Chapman	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker (Connors)		

Absent or not voting, 3:

Carter	Running	Welden

Amendment H—3409 lost.

Connolly of Dubuque moved the adoption of amendment H—3406, as amended.

Roll call was requested by Norland of Worth and Swartz of Marshall.

Rule 76 was invoked.

On the question "Shall amendment H—3406, as amended, be adopted?"

The ayes were, 64:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Cooper	Copenhaver
Daggett	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Parker	Pavich

Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 36:

Anderson	Bennett	Branstad	Carpenter
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Oxley	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp

Absent or not voting, none.

Amendment H—3406, as amended, was adopted.

The House resumed consideration of amendment H—3381G.

On motion by Schroeder of Pottawattamie, amendment H—3381G lost.

The House resumed consideration of amendment H—3381H.

Schroeder of Pottawattamie moved the adoption of amendment H—3381H.

Roll call was requested by Schroeder of Pottawattamie and Menke of O'Brien.

On the question "Shall amendment H—3381H be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer

Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, none.

Amendment H–3381H lost.

Branstad of Winnebago offered the following amendment H–3382 filed by him:

H–3382

Amend House File 563 as follows:
1. Page 7, line 19, by inserting after the word "projects." the following: "The department of transportation has the sole responsibility for determining for which construction projects, consistent with any five-year plan, the proceeds of the bonds are to be expended."

Connolly of Dubuque rose on a point of order that amendment H–3382 was not germane.

The Speaker ruled the point not well taken and amendment H–3382 germane.

Branstad of Winnebago moved the adoption of amendment H–3382.

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

On the question "Shall amendment H—3382 be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 60:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, none.

Amendment H—3382 lost.

Hermann of Scott offered the following amendment H—3352 filed by him and Halvorson of Clayton:

H—3352

Amend House File 563 as follows:

1. Page 7, by inserting after line 19 the following:

"In awarding contracts for construction projects under this division, the department shall give preference to Iowa contractors who shall, to the extent practicable, employ residents of Iowa or hire

subcontractors who shall, to the extent practicable, employ residents of Iowa. If the awarding of contracts is based upon the making of bids, the department shall provide that when the lowest bid is made by a non-Iowa contractor the Iowa contractors who made bids shall have a second chance to equal the bid made by the non-Iowa contractor."

Speaker Avenson in the chair at 4:54 p.m.

McKean of Jones offered the following amendment H—3419, to amendment H—3352, filed by him from the floor:

H—3419

Amend amendment H—3352 to House File 563 as follows:
1. Page 1, line 14, by inserting after the word "contractor." the words "If a road construction project results in the constructing of a primary road which bypasses a city in the state, the governing body of the city may petition the department to put up signs near the exit on the primary road leading to that city listing the services available to travelers. The department shall put up these signs upon receipt of the petition of the governing body of the city."

Halvorson of Webster rose on a point of order that amendment H—3419 was not germane.

The Speaker ruled the point well taken and amendment H—3419 not germane.

McKean of Jones moved that the rules be suspended to consider amendment H—3419.

A non-record roll call was requested.

The ayes were 37, nays 58.

The motion lost.

Hermann of Scott moved the adoption of amendment H—3352.

Roll call was requested by De Groot of Lyon and Lageschulte of Bremer.

Rule 76 was invoked.

On the question "Shall amendment H—3352 be adopted?"

The ayes were, 40:

Anderson	Bennett	Blanshan	Brammer
Branstad	Buhr	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Harbor
Hermann	Hoffmann-Bright	Hummel	Krewson
Lageschulte	Maulsby	McIntee	McKean
Miller	Mullins	Pellett	Renken
Running	Schnekloth	Schroeder	Stromer
Stueland	Sturgeon	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen

The nays were, 59:

Arnould	Baxter	Black	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Hanson	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Rensink	Rosenberg	Royer	Sherzan
Shoultz	Skow	Spear	Sullivan
Swartz	Tabor	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 1

Menke

Amendment H—3352 lost.

McKean of Jones asked and received unanimous consent to withdraw amendment H—3384 filed by him on March 24, 1983.

Lloyd-Jones of Johnson in the chair at 6:35 p.m.

Speaker Avenson in the chair at 6:38 p.m.

Connolly of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 563)

The ayes were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 40:

Anderson	Bennett	Branstad	Carl
Carpenter	Clark	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Skow	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Gerpen	Van Maanen

Absent or not voting, 2:

Tofte	Welden

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 563)

Norland of Worth moved to reconsider the vote by which House File 563 passed the House on March 28, 1983 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 60, nays 38.

The motion to table prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 28, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 184, a bill for an act relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 466, a bill for an act relating to the method of election of boards of directors of reorganized school districts.

Also: That the Senate has on March 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 513, a bill for an act relating to the name of a state bank.

K. MARIE THAYER, Secretary.

HOUSE CONCURRENT RESOLUTION 21
By Committee on Appropriations

Whereas, since the creation of the Iowa Department of Substance Abuse on January 1, 1978 the funding structure has been altered on a number of occasions; and

Whereas, there is a need for uniform funding and administration in programming throughout the state; and

Whereas, ten counties have withdrawn from the Iowa Department of Substance Abuse program administration; and

Whereas, a program evaluation from the Legislative Fiscal Bureau Program Evaluation Division and a committee created in 1981 resulting from House File 851 in 1981 has suggested several recommendations in the administration and programs of the Iowa

Department of Substance Abuse which have not been implemented; and

Whereas, there is a need to review the funding formula of a percentage of available funding distributed on a per capita basis and a percentage evenly distributed; and

Whereas, a portion of the funding structure is dependent on federal funding which is not dependent on the factors of need and the prevention, education, referral, and treatment services offered by the Iowa Department of Substance Abuse; *Now Therefore,*

Be It Resolved by the House, the Senate Concurring, That the Legislative Council is urged to establish a study committee composed of members of the Human Resources Appropriations Subcommittee and the Standing

Page 2

Committees on Human Resources to study the structure, funding, administration, and usage of the Iowa Department of Substance Abuse; and

Be It Further Resolved, That the study committee report its findings and recommendations, with legislative bill drafts required to implement its recommendations to the respective standing committees, the Legislative Council, and the General Assembly.

Laid over under Rule 25.

REREFERRED TO COMMITTEE ON EDUCATION

House File 562, previously referred to the committee on **finance** on March 22, 1983, was rereferred by unanimous consent by the committee on finance at their meeting on March 25, 1983 to the committee on **education** under House Rule 33.

REREFERRED TO COMMITTEE ON FINANCE

The Speaker announced that House File 100 recommended amend and do pass by the committee on **appropriations** at their meeting on March 28, 1983, was rereferred to the committee on **finance** under House Rule 33.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 28, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 108, an act prohibiting county and city zoning practices and restrictive covenants which exclude or discriminate against community-based residential homes providing room and board and other services for developmentally disabled persons.

House File 157, an act relating to the allowable speed of school buses.

House File 244, an act to legalize proceedings taken by the Board of Supervisors of Pottawattamie County relating to the sale of certain properties.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eleven Boy Scouts from Troop 51, Shell Rock, accompanied by their leader Steve Peters and assistant leader Brad Keithe. By Lageschulte of Bremer.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1983-6	Oelwein Huskies Basketball Team
1983-7	West Central of Maynard Blue Devilettes Basketball Team
1983-8	Hartley-Melvin Girls Basketball Team
1983-9	Davis County Community Schools Boys Basketball Team
1983-10	Shelly Elmore, Fort Madison, Iowa — Iowa Junior Miss

JOSEPH O'HERN
Chief Clerk of 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 100, a bill for an act creating the Iowa advanced technology institute and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3424** March 28, 1983.

House Concurrent Resolution, a concurrent resolution urging the legislative council to establish a study committee to study the department of substance abuse.

Recommended **Do Pass** March 28, 1983.

Committee Bill, relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 28, 1983.

COMMITTEE ON FINANCE

House File 532, a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation.

Fiscal Note is required.

Recommended **Do Pass as amended by appropriations committee amendment H—3370** March 28, 1983.

House File 536, a bill for an act appropriating funds to the energy policy council for grants to local governments for energy management programs.

Fiscal Note is not required.

Recommended **Do Pass as amended by appropriations committee amendment H—3378** March 28, 1983.

House File 562, a bill for an act relating to funds available to school districts.

Fiscal Note is required.

Referred to education committee by unanimous consent March 28, 1983.

AMENDMENTS FILED

H–3410	S.F. 145	McIntee of Black Hawk Diemer of Black Hawk Van Gerpen of Black Hawk
H–3411	H.F. 422	Woods of Polk
H–3412	S.F. 402	Zimmerman of Dallas Jay of Appanoose Muhlbauer of Crawford Hanson of Delaware Peick of Linn Pellett of Cass Knapp of Dubuque Cochran of Webster
H–3413	H.F. 422	Ollie of Clinton
H–3416	H.F. 512	Bennett of Ida
H–3417	H.F. 552	Spear of Lee
H–3418	H.F. 552	Bennett of Ida
H–3420	H.F. 422	Running of Linn
H–3421	H.F. 422	Krewson of Polk
H–3422	H.F. 590	Blanshan of Greene
H–3423	H.F. 557	Stromer of Hancock
H–3424	H.F. 100	Committee on Appropriations
H–3425	S.C.R. 13	Zimmerman of Dallas
H–3426	H.F. 422	Schroeder of Pottawattamie Lonergan of Boone
H–3427	H.F. 422	Jay of Appanoose Carpenter of Polk Varn of Johnson Swearingen of Keokuk Chapman of Linn Rosenberg of Story
H–3428	H.F. 511	Doderer of Johnson Schroeder of Pottawattamie
H–3429	H.F. 511	O'Kane of Woodbury
H–3430	H.F. 511	O'Kane of Woodbury
H–3431	H.F. 582	Rosenberg of Story
H–3432	H.F. 184	Senate Amendment
H–3433	H.F. 511	Chiodo of Polk Baxter of Des Moines Swearingen of Keokuk
H–3434	H.F. 511	Doderer of Johnson
H–3435	H.F. 118	Halvorson of Clayton
H–3436	H.F. 511	McKean of Jones

On motion by Norland of Worth, the House adjourned at 6:48 p.m., until 9:00 a.m., Tuesday, March 29, 1983.

JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day—Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 29, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father William Sullivan, pastor of St. Mary's Catholic Church, Fairfield.

Welden of Hardin asked and received unanimous consent to correct the Journal of March 28, 1983, to record him as being "absent or not voting" on the roll call for House File 563, page 929.

The Journal of Monday, March 28, 1983 was approved as corrected.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Wettach, Mt. Pleasant.

PETITIONS FILED

The following petitions were received and placed on file:

By Peick of Linn, from one hundred fifty-five constituents of the 52nd District favoring House File 585, an act relating to liability of the state and municipalities of the state and of officers and employees of municipalities and of the state.

By Halvorson of Clayton, from one thousand one hundred ninety-nine constituents favoring the Iowa Conservation Commission considering the construction of a public boat landing in the Heytman area near Lansing, Iowa in Pool #9 in addition to the proposed public boat landing above Lansing.

INTRODUCTION OF BILLS

House File 603, by committee on transportation, a bill for an act relating to the staggered registration of vehicles.

Read first time and placed on the **calendar.**

House File 604, by committee on transportation, a bill for an act relating to the registration fees for class "A" motor homes.

Read first time and placed on the **calendar.**

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 9, by Small, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

Read first time and referred to committee on **state government.**

Senate File 178, by Coleman, a bill for an act relating to the inclusion of optometric services in health insurance policies or contracts if the vision care services or procedures are covered when performed by other health care providers.

Read first time and referred to committee on **small business and commerce.**

Senate File 273, by Gratias, a bill for an act to allow the movement of two trailers drawn by a motor truck up to a combined length of eighty feet on certain highways from the place of manufacture or assembly in the state to a retail dealer's place of business.

Read first time and referred to committee on **transportation.**

Senate File 281, by Horn, a bill for an act relating to the requirement of notification of immunization of school children.

Read first time and referred to committee on **human resources.**

Senate File 304, by Mann, a bill for an act relating to the time limit for petitioning for judicial review of a no-probable-cause decision of the Iowa civil rights commission.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 345, by committee on human resources, a bill for an act authorizing specified professionals to dispense and issue prescription drugs and controlled substances and to delegate non-judgmental dispensing functions and providing a penalty.

Read first time and referred to committee on **human resources.**

Senate File 355, by committee on natural resources, a bill for an act relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management.

Read first time and referred to committee on **natural resources.**

Senate File 380, by committee on energy, a bill for an act relating to projects for which industrial revenue bonds may be issued by a city or county.

Read first time and **passed on file.**

Senate File 400, by Deluhery, a bill for an act relating to the appointment of the director of the office of planning and programming.

Read first time and referred to committee on **state government.**

Senate File 414, by committee on human resources, a bill for an act relating to insurance coverage for mental health services provided by certain licensed psychologists.

Read first time and referred to committee on **human resources.**

Senate File 423, by committee on labor and industrial relations, a bill for an act relating to workers' compensation by modifying the intoxication defense, raising the interest rate on subrogation recoveries, providing that the statute of limitations does not run on certain medical benefits, transferring the authority to act as conservator of the second injury fund to the treasurer of state, and eliminating the industrial commissioner as a respondent in appeals from final agency action.

Read first time and referred to committee on **labor and industrial relations.**

Senate File 431, by committee on human resources, a bill for an act relating to the Iowa commission on the aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging.

Read first time and **passed on file.**

Senate File 432, by committee on judiciary, a bill for an act relating to inmate transfer hearings.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 433, by committee on judiciary, a bill for an act relating to the rule against perpetuities.

Read first time and **passed on file.**

Senate File 434, by committee on state government, a bill for an act relating to funds deposited by city utilities and combined utility systems and regional libraries, and providing an effective date upon publication.

Read first time and **passed on file.**

Senate File 435, by committee on state government, a bill for an act regulating fees and filing requirements of business entities.

Read first time and referred to committee on **state government.**

Senate File 436, by committee on state government, a bill for an act relating to the membership of the council on social services.

Read first time and referred to committee on **state government.**

Senate File 441, by committee on judiciary, a bill for an act relating to eminent domain procedures by providing constructive notice to possible purchasers that land is subject to condemnation proceedings, clarifying responsibilities for recording condemnation proceedings, and specifying the time at which title to property or an

interest in property passes following condemnation.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 453, by committee on transportation, a bill for an act relating to the staggered registration of vehicles.

Read first time and **passed on file.**

Senate File 457, by committee on state government, a bill for an act relating to the campaign finance disclosure commission.

Read first time and referred to committee on **state government.**

Senate File 459, by committee on small business and economic development, a bill for an act providing for reasonable attorney fees for a mechanic's lien action.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 463, by committee on human resources, a bill for an act permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous or disturbing behavior.

Read first time and **passed on file.**

Senate File 467, by committee on education, a bill for an act to remove the limitation on the number of gifted and talented children that can be identified for programs in school districts.

Read first time and referred to committee on **education.**

Senate File 471, by committee on small business and economic development, a bill for an act requiring the comptroller to adopt rules specifying the form and contents for invoices submitted by vendors to the state.

Read first time and referred to committee on **small business and commerce.**

Senate File 479, by committee on judiciary, a bill for an act relating to the sentences of offenders by providing that the supreme court has the power to prescribe certain sentencing advisory rules, and that the sentencing court shall name the offense when entering judgment, by authorizing the board of parole to establish parole guidelines based on certain criteria of offense and offender characteristics, by providing certain travel expenses of alleged parole violators to be paid by the department of social services, and by amending certain references in the Code and rules of criminal procedure, and relating to penalties.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 481, by committee on judiciary, a bill for an act relating to the court fees charged and collected as the journal publication fee.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 485, by committee on education, a bill for an act requiring director districts of certain school districts to be redistricted following each federal decennial census as necessary to reflect population changes within the districts.

Read first time and **passed on file.**

Senate File 494, by committee on judiciary, a bill for an act providing that retired district associate judges may be assigned temporary duties.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 503, by committee on judiciary, a bill for an act relating to inmates in correctional facilities.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 509, by committee on agriculture, a bill for an act relating to the collection of the Iowa corn and soybeans assessment at the time corn and soybeans are pledged to secure a loan extended under a federal price support loan program.

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 March 25, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 464, a bill for an act relating to the creation of the Iowa department of corrections, prescribing its powers and duties, appropriating moneys, and providing penalties.

Also: That the Senate has on March 25, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 491, a bill for an act relating to supreme court rule-making power.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 505, a bill for an act relating to the value of property for purposes of certain crimes and certain penalties.

Also: That the Senate has on March 25, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 506, a bill for an act relating to the impersonation of a peace officer and providing penalties.

K. MARIE THAYER, Secretary

REREFERRED TO COMMITTEE ON FINANCE

The Speaker announced that House File 562 recommended amend and do pass by the committee on **education** at their meeting on March 28, 1983, was rereferred to the committee on **finance** under House Rule 33.

On motion by Norland of Worth, the House was recessed at 9:22 a.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor, for a portion of the afternoon, and Harbor of Mills, for the remainder of the day, on request of Halvorson of Clayton; Corey of Louisa, for the remainder of the day, on request of Carpenter of Polk.

CONSIDERATION OF BILLS
Regular Calendar

House File 314, a bill for an act to authorize the board of directors of a school district to issue warrants in anticipation of revenue from the schoolhouse tax authorized by the voters, was taken up for consideration.

Menke of O'Brien asked and received unanimous consent to withdraw amendment H—3162 filed by him and Maulsby of Calhoun on February 25, 1983.

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. 314)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connors
Cooper	Copenhaver	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes

Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 7:

Carl	Connolly	Menke	Paulin
Schnekloth	Schroeder	Van Gerpen	

Absent or not voting, 2:

Corey	Harbor

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

House File 511, a bill for an act establishing a community development loan program and making an appropriation, with report of committee recommending amendment and passage was taken up for consideration.

Carter of Henry offered the following amendment H–3341 filed by the committee on appropriations:

H–3341

Amend House File 511 as follows:

1. Page 1, line 20, by inserting after the word "jobs" the words "especially in cities or cities located in counties with an unemployment rate higher than the statewide average".

2. Page 1, line 26, by inserting after the word "program" the words "however, preference shall be given to cities or cities located in counties with unemployment rates higher than the statewide average".

3. Page 3, line 16, by striking the words and figure "ten million (10,000,000)" and inserting in lieu thereof the words and figure "seven million (7,000,000)".

4. Page 3, by striking lines 24 through 27 and inserting in lieu thereof the following:

"Sec. . The Iowa community development loan program established pursuant to this Act shall cease three years after the effective date of this Act and all unobligated funds in the revolving loan fund provided for in this Act shall be transferred to the state general fund. After the cessation of the Iowa community development loan program, all loan repayments shall be repaid and credited to the state general fund."

5. Renumber as necessary.

Doderer of Johnson offered the following amendment H—3434, to the committee amendment H—3341, filed by her and moved its adoption:

H—3434

Amend the committee amendment H—3341 to House File 511 as follows:

1. Page 1, by striking line 7 and inserting in lieu thereof the word " "program." the words "However, preference shall be".

Amendment H—3434 was adopted.

O'Kane of Woodbury asked and received unanimous consent to withdraw amendment H—3405, to the committee amendment H—3341, filed by him on March 25, 1983.

O'Kane of Woodbury offered the following amendment H—3429, to the committee amendment H—3341, filed by him and moved its adoption:

H—3429

Amend the Committee on Appropriations amendment, H—3341, to House File 511 as follows:

1. Page 1, by inserting after line 9 the following:

" . Page 3, line 15, by striking the words "upon the effective date of this Act" and inserting in lieu thereof the words and figures "on July 1, 1983"."

2. Page 1, by striking line 14 through 24.

Amendment H—3429 was adopted.

Division of the committee amendment H—3341 was requested as follows:

Lines 2 thru 9, amendment H—3341A; lines 10 thru 25, amendment H—3341B.

Hoffmann-Bright of Muscatine asked and received unanimous consent to temporarily defer action on amendment H—3341A.

Arnould of Scott in the chair at 2:24 p.m.

Jochum of Dubuque moved the adoption of the committee amendment H—3341B, as amended.

Roll call was requested by Stromer of Hancock and Schroeder of Pottawattamie.

On the question "Shall the committee amendment H—3341B, as amended, be adopted?"

The ayes were, 52:

Avenson	Baxter	Black	Blanshan
Brammer	Carl	Chapman	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Hughes
Jay	Jochum	Knapp	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Renaud
Rosenberg	Running	Sherzan	Skow
Spear	Sturgeon	Sullivan	Swartz
Varn	Woods	Zimmerman	Mr. Speaker (Arnould)

The nays were, 46:

Anderson	Bennett	Branstad	Buhr
Carpenter	Carter	Clark	Daggett
De Groot	Diemer	Fogarty	Grandia
Halvorson, R. A.	Handorf	Hanson	Hermann
Hoffmann-Bright	Holveck	Hummel	Koenigs
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Poncy	Renken	Rensink

Royer	Schnekloth	Schroeder	Shoultz
Stromer	Stueland	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 2:

Corey	Harbor

Amendment H–3341B, as amended, was adopted.

Chiodo of Polk offered the following amendment H–3433 filed by Chiodo, et al. :

H–3433

Amend House File 511 as follows:

1. Page 1, line 6, by inserting after the word "development" the words "and in the participation in the financing for local economic development projects".

2. Page 2, by inserting after line 4 the following:

"____. Loans provided through the program may be reloaned in whole or part to finance a commercial or industrial project.

____. Loans provided through the program may be used for the acquisition of real property, for street improvements, or for site improvements and development."

3. Page 2, line 6, by striking the words "are interest-free" and inserting in lieu thereof the words "shall be at an interest rate equal to one-half of the average rate of interest as of the day the loan is closed earned on state funds placed by the treasurer of state in time deposits".

4. Page 2, by inserting after line 27 the following:

"____. The office of planning and programming shall establish rules for the evaluation of projects which rules shall include a point-allocation system for the following:

a. Level of distress of the community.

b. Impact of the proposed project.

c. Number of jobs to be created or retained.

d. Amount of increase in the property tax base.

e. Level of private investment.

f. Payback methods."

5. Page 2, line 31, by inserting after the word "state" the words "and shall be responsible for the repayment of the loan even if the city reloaned the

money borrowed to another person".
6. By numbering as necessary.

The following amendment H—3441, to amendment H—3433, filed by Chiodo of Polk from the floor was adopted by unanimous consent:

H—3441

Amend amendment H—3433 to House File 511 as follows:
1. Page 1, by striking lines 10 through 13.

Lloyd-Jones of Johnson offered the following amendment H—3439, to amendment H—3433, filed by her from the floor:

H—3439

Amend amendment, H—3433, to House File 511 as follows:
1. Page 1, by inserting after line 5 the following:
" . Page 1, by inserting after line 23 the following:
"4. In the implementation of the loan program, the office for planning and programming shall establish a women's and minority business enterprise program to involve independent businesses owned and controlled by women and minorities in projects funded under this Act. The program shall establish an overall goal for the participation of women's and minority business enterprises, and shall establish specific project goals, including dollar goals, for the participation of women's and minority business enterprises capable of meeting general contracting requirements and particular project solicitations. General contractors shall make a good faith effort to meet the specific goals established for a project funded under this Act. The office for planning and programming shall maintain a current directory of women's and minority business enterprises which have been certified as owned and controlled by women or minorities and which are capable of meeting general contracting requirements and particular project solicitations. A women's or minority business enterprise shall be certified as owned and controlled by women or minorities if the business is independent, at least fifty-one percent owned by women or minorities, and managed and operated by women or minorities, with women or minorities making both the day-to-day decisions as well as the major decisions for the business. The women's or

minorities' ownership shall be real, substantial, and continuing.

In advertising for bids and letting contracts for projects funded under this Act, the cities shall establish an overall goal for the participation of women and minority workers and shall establish specific project participation goals, including percentages of women and minority workers on the project, after considering the number of women and minority workers available and trainable for the project. Contractors shall make a good faith effort to meet the specific goals established for a project funded under this Act." "

2. By renumbering as necessary.

Schroeder of Pottawattamie rose on a point of order that amendment H—3439 was not germane.

The Speaker ruled the point well taken and amendment H—3439 not germane.

Lloyd-Jones of Johnson moved that the rules be suspended to consider amendment H—3439.

A non-record roll call was requested.

The ayes were 42, nays 51.

The motion lost.

Schroeder of Pottawattamie rose on a point of order that amendment H—3433 was not germane.

Speaker Avenson in the chair at 3:01 p.m.

The Speaker ruled the point not well taken and amendment H—3433 germane.

Chiodo of Polk moved the adoption of amendment H—3433, as amended.

A non-record roll call was requested.

The ayes were 48, nays 48.

Amendment H—3433, as amended, lost.

McKean of Jones offered the following amendment H—3436 filed by him and moved its adoption:

H—3436

Amend House File 511 as follows:

1. Page 1, by inserting after line 23 the following:

"4. The program shall provide that the moneys appropriated to the revolving loan fund shall be available as follows:

a. Twenty-five percent of the moneys shall be designated for cities with a population of less than five thousand.

b. Fifty percent of the moneys shall be designated for cities with a population of five thousand or more.

c. Twenty-five percent of the moneys shall be designated for any city.

d. Loans repaid which were from moneys designated for cities as provided in paragraph a or b shall be redesignated for those cities."

2. Page 2, line 10, by inserting after the word "awarded" the words ", subject to the amounts designated as provided in section 3, subsection 4,".

Roll call was requested by McKean of Jones and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3436 be adopted?"

The ayes were, 56:

Anderson	Baxter	Bennett	Black
Blanshan	Branstad	Carl	Carter
Clark	Daggett	De Groot	Diemer
Fogarty	Grandia	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Haverland	Hoffmann-Bright	Hughes	Hummel
Jay	Knapp	Koenigs	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Renaud
Renken	Rensink	Royer	Schnekloth
Skow	Spear	Stromer	Stueland
Sullivan	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn

The nays were, 42:

Arnould	Brammer	Buhr	Carpenter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Groninga	Gronstal
Hammond	Hermann	Holveck	Jochum
Krewson	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Pavich	Poncy	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Sturgeon
Swartz	Tabor	Welden	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 2:

Corey	Harbor

Amendment H—3436 was adopted.

O'Kane of Woodbury offered the following amendment H—3430 filed by him and moved its adoption:

H—3430

Amend House File 511, as follows:

1. Page 1, by striking lines 27 through 31 and inserting in lieu thereof the following:

"2. Loans provided through the program shall be used to pay the cost of public works and facilities. "Public works and facilities" means "essential corporate purpose" and "general corporate purpose" as defined in section 384.24, subsections 3 and 4. "Cost" means all the costs of the project, including the cost of acquisition, construction, reconstruction and improvement, and all the items listed in section 384.24, subsection 5."

2. Page 3, by inserting after line 23 the following new sections:

"Sec. . NEW SECTION. LOANS NOT DEPENDENT ON BONDS. Notwithstanding any law to the contrary cities shall not be required to issue bonds to secure loans received by the city through the Iowa community development loan program.

Sec. . Section 384.4, subsection 2, Code 1983, is amended to read as follows:

2. Interest as it becomes due and the amount necessary to pay, or to create a sinking fund to pay, the principal at maturity of all general obligation bonds issued by the city or to pay, or to create a

sinking fund to pay, amounts as due on loans received through the Iowa community development loan program."

3. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Amendment H—3430 was adopted.

Doderer of Johnson offered the following amendment H—3428 filed by her and Schroeder of Pottawattamie and moved its adoption:

H—3428

Amend House File 511 as follows:

1. Page 3, by striking lines 4 through 8 and inserting in lieu thereof the following:

"Sec. 7. NEW SECTION. RULES. The office of planning and programming shall adopt rules pursuant to chapter 17A to implement this Act."

Amendment H—3428 was adopted.

The House resumed consideration of the committee amendment H—3341A.

McKean of Jones offered the following amendment H—3440, to the committee amendment H—3341A, filed from the floor by him and Hoffmann-Bright of Muscatine and moved its adoption:

H—3440

Amend amendment H—3341 to House File 511 as follows:

1. Page 1, by inserting after line 5 the following:

" . Page 1, by inserting after line 23, the following:

"4. Job Service of Iowa is required to supply information regarding unemployment rates to any city or county requesting it."

A non-record roll call was requested.

The ayes were 58, nays 9.

Amendment H—3440 was adopted.

On motion by Jochum of Dubuque, the committee amendment H—3341A, as amended, was adopted.

Lloyd-Jones of Johnson asked for unanimous consent to suspend the rules to consider amendment H—3442.

Objection was raised.

Norland of Worth moved that the rules be suspended to consider amendment H—3442.

A non-record roll call was requested.

The ayes were 56, nays 24.

The motion prevailed.

Lloyd-Jones of Johnson offered the following amendment H—3442 filed by her from the floor and moved its adoption:

H—3442

Amend House File 511 as follows:
1. Page 1, by inserting after line 23 the following:
"e. The creation of job opportunities for women and minorities."

Amendment H—3442 was adopted.

O'Kane 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. 511)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay

Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Corey	Harbor

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

House File 533, a bill for an act relating to the acceptance and use by cities of federal assistance for economic development projects, was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—3404 filed by him and moved its adoption:

H—3404

Amend House File 533 as follows:
1. Page 1, line 2, by inserting after the word "applicable" the words "state or".
2. Page 1, line 4, by inserting after the word "the" the words "state or".
3. Page 1, line 12, by inserting after the word "applicable" the words "state or".
4. Page 1, line 14, by inserting after the word "the" the words "state or".

Amendment H—3404 was adopted.

Buhr 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. 533)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Corey	Harbor

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 533)

O'Kane of Woodbury asked and received unanimous consent that House File 533 be immediately messaged to the Senate.

Appropriations Calendar

House File 512, a bill for an act to authorize the state soil conservation committee to establish a fund from which to make loans for the establishment of soil and water conservation practices and making an appropriation with report of committee recommending amendment and passage, was taken up for consideration.

Welden of Hardin offered the following amendment H–3342 filed by the committee on appropriations and moved its adoption:

H–3342

Amend House File 512 as follows:
1. Page 1, line 21, by striking the word "certified" and inserting in lieu thereof the word "provided".
2. Page 1, line 30, by inserting after the word "loans" the word "outstanding".

The committee amendment H–3342 was adopted.

Bennett of Ida offered the following amendment H–3416 filed by him:

H–3416

Amend House File 512 as follows:
1. Page 1, by striking lines 18 through 20 and inserting in lieu thereof the words "established for that land. The".

Krewson of Polk in the chair at 4:05 p.m.

Bennett of Ida moved the adoption of amendment H–3416.

Roll call was requested by Bennett of Ida and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H–3416 be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Cooper	Daggett	Davitt
De Groot	Diemer	Grandia	Halvorson, R. A.

Handorf	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Maulsby	McIntee	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	Mr. Speaker (Krewson)

The nays were, 62:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Copenhaver	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman		

Absent or not voting, 2:

Corey	Harbor

Amendment H—3416 lost.

Speaker Avenson in the chair at 4:35 p.m.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 512)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Daggett	Davitt	De Groot	Diemer

Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Corey Harbor.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 524 DEFERRED

Norland of Worth asked and received unanimous consent that House File 524 be deferred and that the bill retain its place on the calendar.

REFERRED TO COMMITTEE ON APPROPRIATIONS

House File 271, a bill for an act relating to reporting and study of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange, with report of committee recommending amendment and passage, was taken up for consideration.

Welden of Hardin rose on a point of order and invoked Rule 32 to refer House File 271 to the committee on appropriations.

The Speaker ruled the point not well taken and Rule 32 not in order.

Jochum of Dubuque asked and received unanimous consent to refer House File 271 to the committee on appropriations.

Regular Calendar

House File 446, a bill for an act providing for the creation, management, and administration of a protected water area system in this state, was taken up for consideration.

Spear of Lee offered the following amendment H–3308 filed by him and moved its adoption:

H–3308

Amend House File 446 as follows:
1. Page 1, line 2, by inserting after the figure "2" the word and figure "and 4".
2. Page 2, line 12, by striking the words "NEW SECTION."

Amendment H–3308 was adopted.

McKean of Jones offered the following amendment H–3327 filed by him and O'Kane of Woodbury and moved its adoption:

H–3327

Amend House File 446 as follows:
1. Page 1, line 22, by inserting after the word "easements" the words "and other agreements".
2. Page 2, line 7, by inserting after the word "easements" the words "and other agreements".

Amendment H–3327 was adopted.

O'Kane of Woodbury offered the following amendment H–3369 filed by him and Welden of Hardin and moved its adoption:

H–3369

Amend House File 446 as follows:
1. Page 5, by striking lines 5 through 8 and inserting in lieu thereof the word "located."

Amendment H—3369 was adopted.

O'Kane 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. 446)

The ayes were, 88:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Haverland	Hermann
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 10:

Daggett	Grandia	Handorf	Hoffmann-Bright
Hummel	Maulsby	Renken	Schroeder
Stromer	Van Maanen		

Absent or not voting, 2:

Corey	Harbor

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 114 WITHDRAWN

Connolly of Dubuque asked and received unanimous consent to withdraw House File 114 from further consideration by the House.

MOTIONS TO RECONSIDER WITHDRAWN
(House File 343)

Woods of Polk asked and received unanimous consent to withdraw the motions to reconsider House File 343, a bill for an act authorizing the conservation commission to protect and manage all wild life vertebrates, filed by him and Schroeder of Pottawattamie on March 7, 1983.

MOTIONS TO RECONSIDER
(House File 446)

I move to reconsider the vote by which House File 446 passed the House on March 29, 1983.

HALVORSON of Clayton

(House File 512)

I move to reconsider the vote by which House File 512 passed the House on March 29, 1983.

VAN MAANEN of Mahaska

REREFERRED TO COMMITTEE ON APPROPRIATIONS
(House File 100)

The Speaker announced that House File 100 reported without recommendation by the committee on **finance** at their meeting on March 29, 1983, was rereferred to the committee on **appropriations.**

PROOF OF PUBLICATION
(House File 355 and Senate File 428)

Published copy of House File 355 and Senate File 428 (Companion Bills) and verified proof of publication of said bills in the Ottumwa Courier, a daily newspaper, printed and published in Ottumwa, Wapello County, Iowa, on February 21, 1983 was filed with the Chief Clerk of the House prior to the time said bills were placed on passage in the House.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 4, an act relating to the performance of public service as restitution by offenders not reasonably able to pay all or part of court costs, court-appointed attorney's fees, or the expense of a public defender.

Senate File 15, an act relating to the provision of health, welfare, and social services under the county health center tax levy.

Senate File 207, an act relating to vehicles by defining a remanufactured vehicle and providing for the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state.

Senate File 288, an act relating to the tax credit allowed Iowa resident taxpayers for income taxes paid to another state or foreign country on income earned outside of Iowa and making it retroactive.

Senate File 440, an act relating to the compromising and settling of certain property tax claims in Iowa against the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company as approved by the United States District Court for the Northern District of Illinois, Eastern Division.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

STATE OF ARKANSAS

House Joint Resolution 9, requesting Congress to propose an amendment to the Federal Constitution to provide that no Federal court shall exercise jurisdiction over the state penal facilities.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 330 Ways and Means

To establish an Iowa industrial new jobs training program.

S.B. 331 Ways and Means

Providing an annual inspection fee for mobile home parks.

PRESENTATION OF VISITORS

Blanshan of Greene presented to the House, the Honorable C. Raymond Fisher, former member of the House representing Greene County.

The Speaker announced the following visitors were present in the House chamber:

Forty-five seniors from Midland High School, Wyoming. By McKean of Jones and Tabor of Jackson.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

House File 562, a bill for an act relating to funds available to school districts.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3437** March 28, 1983.

COMMITTEE ON FINANCE

House File 100, a bill for an act creating the Iowa advanced technology institute and providing an appropriation.

Fiscal Note is required.

Committee Action: Rereferred to Appropriations Committee to incorporate the Appropriations Committee amendment into the bill and come out as a committee bill March 29, 1983.

House File 562, a bill for an act relating to funds available to school districts.

Fiscal Note is required.

Recommended **Do Pass as amended by Education Committee amendment H—3437** March 29, 1983.

AMENDMENTS FILED

H—3437	H.F. 562	Committee on Education
H—3438	H.F. 100	Jochum of Dubuque
H—3443	H.F. 557	Van Maanen of Mahaska
H—3444	H.F. 206	Miller of Woodbury
H—3445	H.F. 448	Swartz of Marshall Schroeder of Pottawattamie
H—3446	S.F. 213	Miller of Woodbury
H—3447	S.F. 345	Muhlbauer of Crawford
H—3448	H.F. 523	Spear of Lee
H—3449	H.F. 529	Van Camp of Scott
H—3450	H.F. 317	Van Camp of Scott
H—3451	H.F. 587	Van Camp of Scott
H—3452	H.F. 551	Jay of Appanoose
H—3453	H.F. 530	Spear of Lee
H—3454	H.F. 556	Spear of Lee
H—3455	H.C.R. 20	Bennett of Ida

On motion by Norland of Worth, the House was recessed at 5:20 p.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

Beautiful America ..... Ellen J. Lorenz
Meditation ..... C. S. Morrison

Clarretta De Groot, Secretary to Representative Kenneth De Groot, Doon

Invocation ..... Senator Bass Van Gilst, Oskaloosa

MEMORIALS—SENATE

Reading: Senator Donald E. Gettings, Ottumwa

MEMORIALS—HOUSE

Reading: Representative Mark. A. Haverland, Ankeny

"How Great Thou Art" ..... Stuart K. Hine
Bonnie J. King, Secretary to Senator Bass Van Gilst, Soloist
Clarretta De Groot, Accompanist

MEMORIALS—HOUSE AND SENATE

Reading: Senator Julia B. Gentleman, Des Moines

MEMORIALS—HOUSE

Reading: Representative Dale M. Cochran, Eagle Grove

"Lead On, O King Eternal" ..... John M. Rasley
Legislative Chorus, Senator Ray Taylor, Steamboat Rock, Director
Clarretta De Groot, Accompanist

MEMORIALS—SENATE

Reading: Senator C. Joseph Coleman, Clare

MEMORIALS—HOUSE

Reading: Representative Joyce Lonergan, Boone

"My Jesus, I Love Thee" ..... Scottish Air
Representative Betty Jean Clark, Rockwell, Soloist
Clarretta De Groot, Accompanist

MEMORIALS—HOUSE AND SENATE

Reading: Senator Richard Vande Hoef, Harris

MEMORIALS—HOUSE

Reading: Representative Dottie Carpenter, West Des Moines

"Battle Hymn of the Republic" ..... Peter J. Wilhousky
Legislative Chorus
Walter Cunningham, Jr., Speaker's Page, Waterloo, Accompanist

Benediction ..... Representative Lester Menke, Calumet

"The Lord Bless and Keep You" ..... Peter C. Lutkin
Legislative Chorus

Postlude

"God of Our Fathers" ..... George W. Warren
Clarretta De Groot, Accompanist

IN MEMORIAM

SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE

Honorable L. M. Boothby (Cherokee County) House—52nd, 53rd and 54th. (Cherokee, Ida and Plymouth Counties) Senate—55th, 56th, 57th and 58th.

Honorable Jans T. Dykhouse (Lyon County) House—47th and 48th. (Lyon, O'Brien, Osceola and Sioux Counties) Senate—49th, 50th, 50x, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, and 60x.

Honorable Carl Hoschek (Des Moines County) House—53rd. Senate—58th and 59th.

Honorable Chester O. Hougen (Black Hawk County) House—59th, 60th and 60x. Senate—62nd and 63rd.

Honorable Herman M. Knudson (Cerro Gordo County) House—46th, 48th, 49th, 50th and 50x.(Cerro Gordo, Franklin and Hancock Counties) Senate—51st, 52nd, 53rd, 54th, 55th and 56th.

Honorable Vern Lisle (Page County) House—53rd, 54th, 55th, 56th, 57th, 58th and 59th. (Speaker Pro Tempore, 57th; Speaker, 58th) (Fremont, Mills and Page Counties) Senate—60th, 60x, 61st, 62nd and 63rd.

Honorable George E. O'Malley (Polk County) House—53rd. Senate—54th, 55th, 56th, 57th, 58th, 59th, 60th, 60x, 61st, 62nd and 63rd. (Minority Floor Leader, 55th and 58th; President Pro Tempore, 61st and 62nd)

Honorable Marvin W. Smith (O'Brien County) House—57th, 58th, 59th, 60th, 60x, 61st and 62nd. (Clay, Dickinson, Lyon, O'Brien and Osceola Counties) Senate—63rd and 64th.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Frederick D. Augustine (Ringgold County) 44th, 45th and 45x.

Honorable Raymond Breakenridge (Madison County) 56th and 57th.

Honorable Fred Bruene (Tama County) 47th.

Honorable David A. Dancer (Decatur County) 46th, 46x, 47th, 48th, 49th. (Speaker Pro Tempore in 49th)

Honorable Eugene E. Halling (Adair County) 56th, 57th, 58th, 59th, and 60th.

Honorable Wilmot C. Hendrix (Muscatine County) 52nd, 52x, 53rd, 54th, 55th, 56th and 57th.

Honorable Harold Knight (Humboldt County) 62nd and 63rd.

Honorable Kenneth D. Miller (Buchanan County) 65th, 66th, 67th, 68th and 69th.

Honorable Leroy S. Miller (Page County) 60th, 61st, 62nd and 63rd.

Honorable John M. Naughton (Woodbury County) 57th and 58th.

Honorable Thomas O. Nutt (Van Buren County) 57th and 58th.

Honorable Frank K. Pedrick (Wapello County) 54th and 55th.

Honorable George Petrick (Linn County) 69th.

Honorable Glenn E. Robinson (Delaware County) 50th, 50x, 51st, 52nd, 52x, 53rd, 54th and 55th.

Honorable John B. Rockwell (Henry County) 58th and 59th.

SERVED IN THE SENATE

Honorable Hugh H. Clarke (Hamilton and Wright Counties) 62nd and 63rd.

Honorable Harry L. Cowden (Audubon, Dallas and Guthrie Counties) 59th, 60th and 60x.

Honorable LeRoy Getting (Clay, Dickinson and O'Brien Counties) 58th, 59th, 60th and 60x.

Honorable Floyd A. Gilley (Allamakee, Fayette and Winneshiek Counties) 63rd and 64th.

Honorable Herman B. Lord (Louisa and Muscatine Counties) 52nd, 53rd, 54th and 55th.

Honorable Jacob B. Mincks (Wapello County) 58th, 59th, 60th, 60x and 61st.

Honorable John D. Shoeman (Audubon, Cass and Shelby Counties) 56th, 57th, 58th, 59th, 60th, 60x and 61st.

*****

Candlelighters: Representative Eugene Blanshan, Scranton
Representative Janis I. Torrence, Atalissa
Senator Thomas Mann, Jr., Des Moines
Senator Jack Rife, Moscow

Hosts: Representative John Connors, Des Moines
Representative Clifford O. Branstad, Thompson
Representative Semor C. Tofte, Decorah
Senator Charles P. Miller, Burlington
Senator William D. Palmer, Des Moines
Senator Dale L. Tieden, Elkader

*****

LEGISLATIVE CHORUS
Director: Senator Ray Taylor, Steamboat Rock
Accompanist: Clarretta De Groot, Secretary
Walter Cunningham, Jr., Speaker's Page

*****

HOUSE MEMORIAL COMMITTEE

Honorable Kenneth De Groot, Doon, Chair
Honorable Eugene Blanshan, Scranton
Honorable Betty Jean Clark, Rockwell
Honorable Joyce Lonergan, Boone

*****

SENATE MEMORIAL COMMITTEE

Honorable Bass Van Gilst, Oskaloosa, Chair
Honorable James E. Briles, Corning
Honorable Charles P. Miller, Burlington
Honorable Dale L. Tieden, Elkader

On motion by Norland of Worth, the House adjourned at 8:19 p.m., until 9:00 a.m., Wednesday, March 30, 1983.

JOURNAL OF THE HOUSE

Eighteth Calendar Day — Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 30, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

The Legislative Chorus, directed by Senator Ray Taylor and accompanied by the Speaker's Page, Walter Cunningham, Jr., sang "The Battle Hymn of the Republic."

Prayer was offered by Reverend Ken Hurto, pastor of the First Unitarian Church, Des Moines.

The Journal of Tuesday, March 29, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. E. Douglas, Belle Plaine.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chapman of Linn, for a portion of the day, on request of Hughes of Union.

PETITION FILED

The following petition was received and placed on file:

By Peick of Linn, from thirty-two constituents from the 52nd District favoring House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

INTRODUCTION OF BILLS

House File 605, by committee on judiciary and law enforcement, a bill for an act relating to fireworks.

Read first time and placed on the **calendar.**

House File 606, by committee on judiciary and law enforcement, a bill for an act permitting or requiring a corporation to indemnify a director, officer, employee, or agent of the corporation for judgments, penalties, fines, settlements, and reasonable expenses actually incurred as a defendant or respondent in an administrative or court proceeding.

Read first time and placed on the **calendar.**

House File 607, by McIntee, Diemer, Maulsby, Menke, Van Gerpen, Lageschulte, Chiodo, Oxley and Royer, a bill for an act to provide for the billing of prisoners for expenses incurred by a city or county as a result of the prisoners' incarceration in a jail, that a county sheriff may seek a judgment against a prisoner for payment of the bill, and to include the costs of incarceration in the restitution payment plan.

Read first time and referred to committee on **judiciary and law enforcement.**

House File 608, by committee on local government, a bill for an act relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations, expanding the duties and tenure of the county finance committee, providing for current and noncurrent debt, making coordinating amendments, and continuing certain penalties.

Read first time and referred to committee on **ways and means.**

SENATE MESSAGES CONSIDERED

Senate File 428, by Schwengels and Gettings, a bill for an act to legalize the proceedings of the board of directors of the Indian Hills Community College (Merged Area XV) in the counties of Appanoose, Davis, Decatur, Henry, Iowa, Jefferson, Keokuk, Lee, Lucas, Mahaska, Marion, Monroe, Poweshiek, Van Buren, Wapello, Washington and Wayne and the Wapello county commissioner of elections in connection with an election authorizing the levy of a tax and declaring the validity of said election and the validity of taxes levied pursuant thereto.

Read first time and **passed on file.**

Senate File 464, by committee on state government, a bill for an act relating to the creation of the Iowa department of corrections, prescribing its powers and duties, appropriating moneys, and providing penalties.

Read first time and referred to committee on **human resources.**

Senate File 466, by committee on education, a bill for an act relating to the method of election of boards of directors of reorganized school districts.

Read first time and referred to committee on **education.**

Senate File 491, by committee on judiciary, a bill for an act relating to supreme court rule-making power.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 505, by committee on judiciary, a bill for an act relating to the value of property for purposes of certain crimes and certain penalties.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 506, by committee on judiciary, a bill for an act relating to the impersonation of a peace officer and providing penalties.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 513, by committee on commerce, a bill for an act relating to the name of a state bank.

Read first time and referred to committee on **small business and commerce.**

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to the committee notice and agenda, for a natural resources appropriations subcommittee meeting at 12:15 p.m. today.

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 30, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 334, a bill for an act relating to the release of a defendant before an appearance before a magistrate.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:35 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-six members present, twenty-four absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, on request of Bennett of Ida, and Davitt of Warren on request of Connors of Polk, both for a portion of the afternoon.

CONSIDERATION OF BILLS
Regular Calendar

House File 526, a bill for an act relating to criminal responsibility for the commission of a public offense while insane, 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. 526)

The ayes were, 80:

Anderson	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hummel	Jay
Knapp	Koenigs	Lageschulte	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 17:

Arnould	Buhr	Carl	Carpenter
Doderer	Hammond	Haverland	Hughes
Jochum	Krewson	Lloyd-Jones	Lonergan
Mullins	O'Kane	Ollie	Osterberg
Rosenberg			

Absent or not voting, 3:

Chapman	Davitt	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 528, a bill for an act relating to the revision of the juvenile victim restitution program, was taken up for consideration.

Spear of Lee offered the following amendment H–3403 filed by him and moved its adoption:

H–3403

Amend House File 528 as follows:

1. Page 1, by striking lines 28 through 30 and inserting in lieu thereof the words and figures "of

the state. The agency shall reclaim any portion of an initial allocation to a judicial district that is unencumbered on December 31 of any year. The agency shall immediately reallocate the reclaimed funds to those judicial districts from which funds were not reclaimed in the manner provided in this section for the original allocation. Any portion of an amount allocated that remains unencumbered on June 30 of any year shall revert to the general fund of the state."

Amendment H—3403 was adopted.

Miller 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. 528)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Chapman Davitt

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 570, a bill for an act regarding the recording of financing statements under the uniform commercial code, was taken up for consideration.

Buhr 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. 570)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Chapman Davitt

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 557, a bill for an act relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to insure or guarantee loans made to certain farmers, was taken up for consideration.

Stromer of Hancock offered the following amendment H–3423 filed by him:

H–3423

Amend House File 557 as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 175, Code 1983, is amended by adding the following new section:

NEW SECTION. DISPLACED FARMERS RETRAINING PROGRAM. The general assembly finds that it believes that a state of economic emergency exists in Iowa and in an attempt to provide relief to those individuals who have lost their employment in farming the general assembly offers the following program.

The authority shall establish an insured loan program for displaced farmers or members of their families or farm laborers who have lost their farm employment or farm property due to foreclosure actions on real estate mortgages, deeds of trust of real property and contracts for the purchase of real estate with up to fifty percent of those funds received pursuant to section 175.28 to the extent those funds were not committed under a program authorized by this chapter on the effective date of this Act. Proceeds from loans received under this program must be used for retraining of the recipient consistent with rules established by the authority. The insured loan program shall provide for the insuring or guaranteeing of one hundred percent of the amount of a loan received under this program, not to exceed ten thousand dollars. No more than one loan may be received by an individual in a twelve-month period and no more than twenty-five thousand dollars in loan insurance or guarantees may be received by an individual under this program.

The authority shall have rule-making authority to develop the necessary rules and regulations to implement this program. The authority may enter into agreements with other state agencies under chapter 28E, Code 1983, for the purposes of fulfilling the requirements of this section."

2. By renumbering sections as required by this amendment.

Connors of Polk in the chair at 1:45 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Koenigs of Mitchell, for a portion of the day, on request of Hughes of Union.

Stromer of Hancock moved the adoption of amendment H—3423.

A non-record roll call was requested.

The ayes were 38, nays 54.

Amendment H—3423 lost.

Van Maanen of Mahaska offered the following amendment H—3443 filed by him and moved its adoption:

H—3443

Amend House File 557 as follows:

1. Page 1, line 9, by striking the word "seventy-five" and inserting in lieu thereof the word "fifty".

2. Page 1, line 25, by striking the word "seventy-five" and inserting in lieu thereof the word "fifty".

A non-record roll call was requested.

The ayes 41, nays 46.

Amendment H—3443 lost.

Speaker Avenson in the chair at 2:43 p.m.

Skow of Guthrie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 557)

The ayes were, 80:

Anderson	Arnould	Baxter	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Lloyd-Jones	Lonergan	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Rosenberg	Royer	Running	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 17:

Bennett	Corey	Grandia	Handorf
Hermann	Hoffmann-Bright	Krewson	Lageschulte
Maulsby	Renken	Rensink	Schnekloth
Schroeder	Tofte	Torrence	Van Camp
Welden			

Absent or not voting, 3:

Connors	Davitt	Koenigs

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:

Connors of Polk, for the remainder of the day, on request of Lonergan of Boone.

IMMEDIATE MESSAGE
(House File 557)

Norland of Worth asked and received unanimous consent that House File 557 be immediately messaged to the Senate.

The House stood at ease at 3:02 p.m., until the fall of the gavel.

The House resumed session at 5:16 p.m., Speaker Avenson in the chair.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

The contemporary affairs class from Denison High School, Denison, accompanied by Mr. Martin Petersen. By Muhlbauer of Crawford.

Forty fifth grade students from Indianola Middle School, Indianola, accompanied by Mrs. O'Hair and Mrs. Biros. By Davitt of Warren.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 266, a bill for an act relating to qualifications for area education agency administrators.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1983.

Senate Joint Resolution 10, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the distribution of money subject to the support and maintenance of common schools.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1983.

COMMITTEE ON HUMAN RESOURCES

Senate File 412, a bill for an act authorizing the department of social services to establish a sales bonus program for the sale of prison industry products.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3456** March 29, 1983.

COMMITTEE ON NATURAL RESOURCES

Senate File 42, a bill for an act to set the time for the harvesting of wild ginseng.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Senate File 223, a bill for an act increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1983.

Senate File 387, a bill for an act relating to an examination by the superintendent of banking of the condition of an economic development corporation.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate File 369, a bill for an act to authorize the director of revenue to provide state tax returns and return information to the auditor of state for auditing purposes.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1983.

AMENDMENTS FILED

H—3456	S.F. 412	Committee on Human Resources

H–3457	H.F. 422	Harbor of Mills
H–3458	H.F. 558	Van Camp of Scott
H–3459	H.F. 562	Groth of Buena Vista
H–3460	H.F. 517	Koenigs of Mitchell
		Pellett of Cass
		Sullivan of Van Buren
		Harbor of Mills
H–3461	H.F. 442	Schroeder of Pottawattamie
H–3462	H.F. 417	Corey of Louisa
H–3463	H.F. 582	Knapp of Dubuque
H–3464	H.F. 582	McIntee of Black Hawk
H–3465	H.F. 257	Pavich of Pottawattamie
		Connors of Polk
		Renaud of Polk
H–3466	H.F. 562	Daggett of Taylor
		Groth of Buena Vista
H–3467	H.F. 562	Groth of Buena Vista
H–3468	H.F. 504	Koenigs of Mitchell
		Halvorson of Webster
H–3469	S.F. 463	Clark of Cerro Gordo
H–3470	S.F. 431	Copenhaver of Buchanan
H–3471	H.F. 507	Spear of Lee
H–3472	H.F. 576	Spear of Lee
H–3473	H.F. 422	McIntee of Black Hawk
H–3474	S.F. 145	McIntee of Black Hawk
		Diemer of Black Hawk
		Van Gerpen of Black Hawk
		Shoultz of Black Hawk
H–3475	H.F. 562	Hummel of Benton
H–3476	H.F. 562	Lageschulte of Bremer
		Daggett of Taylor
H–3477	H.F. 562	Carpenter of Polk
H–3478	H.F. 562	Halvorson of Clayton
H–3479	H.F. 562	Bennett of Ida
		Van Gerpen of Black Hawk
H–3480	H.F. 562	Maulsby of Calhoun
		Van Gerpen of Black Hawk
H–3481	H.F. 562	Schnekloth of Scott
H–3482	H.F. 562	Hanson of Delaware
H–3483	S.F. 294	Renaud of Polk
H–3484	H.F. 446	Halvorson of Clayton
H–3485	H.F. 422	Halvorson of Clayton
H–3486	H.F. 556	Mullins of Kossuth

H—3487	H.F. 576	Spear of Lee
H—3488	H.F. 576	Spear of Lee
H—3489	H.F. 535	Parker of Jasper Rosenberg of Story
H—3490	H.F. 535	Jay of Appanoose
H—3491	H.F. 535	Jay of Appanoose
H—3492	H.F. 562	Groth of Buena Vista

On motion by Norland of Worth, the House adjourned at 5:17 p.m., until 9:00 a.m., Thursday, March 31, 1983.

JOURNAL OF THE HOUSE

Eighty-first Calendar Day—Fifty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 31, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Stanley Jensen, pastor of the Monticello Baptist Church of Scotch Grove.

The Journal of Wednesday, March 30, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wayne Rouse, Boone.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-seven members present, forty-three absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Renaud of Polk on request of Sherzan of Polk.

PETITION FILED

The following petition was received and placed on file:

By Peick of Linn, from one hundred twenty-nine constituents of the 52nd District favoring House File 585, an act relating to liability of the state and municipalities of the state and of officers and employees of municipalities and of the state.

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, 1983, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax and other taxes.

Also: That the Senate has on March 22, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 399, a bill for an act relating to the status of the criminal and juvenile justice planning agency and its reporting procedures.

Also: That the Senate has on March 29, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 499, a bill for an act providing for the preservation of rail corridors for future rail use upon abandonment of the rail corridors.

Also: That the Senate has on March 30, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 504, a bill for an act relating to the repeal or modification of statutes and rules affected by the proposed Iowa rules of evidence.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Noncontroversial Calendar

House File 150, a bill for an act allowing deaf persons to use hearing dogs in certain public places and establishments and providing a penalty, with report of committee recommending amendment and passage was taken up for consideration.

Hammond of Story offered the following amendment H–3208 filed by the committee on human resources and moved its adoption:

H–3208

Amend House File 150 as follows:
1. Page 1, line 7, by striking the word "may" and inserting in lieu thereof the word "shall".
2. Page 1, line 11, by striking the number "601D.8" and inserting in lieu thereof the number "601I.8".
3. Page 1, line 13, by striking the number "601D.7" and inserting in lieu thereof the number "601I.7".
4. Page 1, by inserting after line 14 the following:

"Sec. 3. Section 601D.5, Code 1983, is amended to read as follows:

601D.5 USE OF GUIDE DOGS. Every blind or partially blind person shall have the right to be accompanied by a guide dog, under control and especially trained for the purpose, in any of the places listed in sections 601D.3 and 601D.4 without being required to make ~~any~~ additional payment for the guide dog. ~~He shall be~~ A landlord shall waive lease restrictions on the keeping of a guide dog for a blind person. The blind person is liable for ~~any~~ damage done to the premises or facilities by ~~such~~ a guide dog."

5. Amend the title, lines 1 and 2, by striking the words "persons to use hearing dogs in certain public places and establishments" and inserting in lieu thereof the words "or blind persons to use and keep hearing or guide dogs".

The committee amendment H—3208 was adopted.

Hammond of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 150)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Pellett	Poncy	Renken
Rensink	Rosenberg	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor

Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Carter	Chiodo	Connors	Paulin
Renaud	Royer	Tofte	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 111, a bill for an act relating to reseeding the topsoil of open ditches with prairie grass seed, with report of committee recommending amendment and passage was taken up for consideration.

Black of Jasper offered the following amendment H—3204 filed by the committee on natural resources and moved its adoption:

H—3204

Amend House File 111 as follows:
1. Page 1, line 7, by striking the word "possible" and inserting in lieu thereof the word "feasible".

The committee amendment H—3204 was adopted.

Black of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 111)

The ayes were, 86:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel

Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renken
Rensink	Rosenberg	Running	Schnekloth
Schroeder	Shoultz	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 7:

Corey	Harbor	Maulsby	McIntee
Menke	Van Maanen	Welden	

Absent or not voting, 7:

Carter	Doderer	Haverland	Renaud
Royer	Sherzan	Stromer	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 441, a bill for an act to require manufacturers and importers to provide manufacturer's and importer's certificates in the form prescribed by the department of transportation, was taken up for consideration.

Miller 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. 441)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson

Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Carter	Chapman	Hughes	Renaud
Sherzan			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 477, a bill for an act to prohibit the filing of school district reorganization petitions with an area education agency within six months after the occurrence of certain conditions, was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 477)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond

Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Skow	Spear	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Hughes	Renaud	Sherzan	Shoultz
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 489, a bill for an act relating to membership on the interagency coordinating council on radiation safety, was taken up for consideration.

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. 489)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright

Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Fey	Fogarty	Muhlbauer	Renaud
Shoultz			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 494, a bill for an act relating to certified public accountants, accounting practitioners, and the board of accountancy, was taken up for consideration.

Spear of Lee offered the following amendment H–3337 filed by him and moved its adoption:

H–3337

Amend House File 494 as follows:

1. Page 1, line 8, by inserting after the word "accountants" the words "or licensed accounting practitioners".

Amendment H–3337 was adopted.

Carpenter 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. 494)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Pellett	Poncy
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Doderer	Muhlbauer	Peick	Renaud
Shoultz			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 428 SUBSTITUTED FOR HOUSE FILE 355

Parker of Jasper asked and received unanimous consent to substitute Senate File 428 for House File 355.

Senate File 428, a bill for an act to legalize the proceedings of the board of directors of the Indian Hills Community College (Merged Area XV) in the counties of Appanoose, Davis, Decatur, Henry, Iowa, Jefferson, Keokuk, Lee, Lucas, Mahaska, Marion, Monroe, Poweshiek, Van Buren, Wapello, Washington and Wayne and the Wapello county commissioner of elections in connection

with an election authorizing the levy of a tax and declaring the validity of said election and the validity of taxes levied pursuant thereto, was taken up for consideration.

Parker of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 428)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 2:

McKean	Renken

Absent or not voting, 3:

Haverland	Renaud	Stromer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 437, a bill for an act to legalize proceedings of the city council of the city of La Porte City relating to the letting of certain contracts, with report of committee recommending passage was taken up for consideration.

Paulin 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?" (H.F. 437)

The ayes were, 88:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lonergan	Maulsby
McIntee	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Oxley	Paulin	Pavich	Peick
Pellett	Poncy	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 10:

Black	Chiodo	Fogarty	Hanson
Krewson	Lloyd-Jones	McKean	Osterberg
Parker	Renken		

Absent or not voting, 2:

Renaud	Shoultz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 500, a bill for an act relating to the number of instructors at a school of cosmetology, was taken up for consideration.

Zimmerman 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. 500)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 4:

Groninga	Hanson	McKean	Renken

Absent or not voting, 3:

Copenhaver	Renaud	Shoultz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

House File 562, a bill for an act relating to funds available to school districts, with report of committee recommending amendment and passage, was taken up for consideration.

The House stood at ease at 9:54 a.m. until the fall of the gavel.

The House resumed session at 11:22 a.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Maanen of Mahaska, for a portion of the day, on request of Stromer of Hancock.

The House resumed consideration of House File 562.

Groth of Buena Vista offered the following amendment H—3437 filed by the committee on education:

H—3437

Amend House File 562 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 265.6, Code 1983, is amended to read as follows:

265.6 STATE AID APPLICABLE. If the state board of regents has established a laboratory school, it shall receive state aid pursuant to chapters 281 and 442 for each pupil enrolled in the laboratory school in the same amount as the public school district in which the pupil resides would receive aid for that pupil and shall transmit the amount received to the institution of higher education at which the laboratory school has been established. If the board of a school district terminates a contract with the state board of regents for attendance of pupils in a laboratory school, the school district shall inform the state comptroller of the number of these pupils who are enrolled in the district on the second Friday of the following September. The state comptroller shall pay to the school district, from funds appropriated in section 442.26, an amount equal to the amount of state aid paid for each pupil in that school district for that school year in payments made as provided in section 442.26. ~~However, payments shall not be made for pupils for which an advance is received by the district under section 442.28.~~

Sec. 2. Section 442.3, Code 1983, is amended to read as follows:

442.3 STATE FOUNDATION BASE. The state foundation

base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. ~~For~~ Except as otherwise provided in this section, for each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. However, for the school years beginning July 1, 1980, July 1, 1981, and July 1, 1982, the state foundation base shall be the same as the state foundation base for the school year beginning July 1, 1979. For the school year beginning July 1, 1984 and succeeding school years, the state foundation base is eighty percent of the state cost per pupil. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 3. Section 442.4, subsection 1, unnumbered paragraph 5, Code 1983, is amended to read as follows:

Page 2

A school district shall certify its basic enrollment to the department of public instruction by September 25 of each year, and the department shall promptly forward the information to the state comptroller. ~~For purposes of determining whether a district is entitled to an advance for increasing enrollment a determination of actual enrollment shall be made on the second Friday of September in the budget year by counting the pupils in the same manner and to the same extent that they are counted in determining basic enrollment, but substituting the count in the budget year for the count in the base year. In addition,~~ a A school district shall determine its additional enrollment because of special education defined in section 442.38, on December 1 of each year and if the district is entitled to an advance for special education, it shall certify its additional enrollment because of special education to the department of public instruction by December 15 of each year, and the department shall promptly forward the information to the state comptroller.

Sec. 4. Section 442.4, subsection 3, paragraphs a and b, Code 1983, are amended to read as follows:

a. ~~Twenty-five~~ Thirty-five percent of the basic enrollment for the school year beginning July 1, 1979.

b. ~~Seventy-five~~ Sixty-five percent of the adjusted enrollment computed under subsection 2, paragraph "a," of this section.

Sec. 5. Section 442.4, subsection 4, Code 1983,

is amended by striking the subsection and inserting in lieu thereof the following:

4. For the school year beginning July 1, 1983 and each succeeding school year, if an amount equal to the district cost per pupil for the budget year minus the amount included in the district cost per pupil for the budget year to compensate for the cost of special education support services for a school district times the budget enrollment of the school district for the budget year is less than one hundred two percent times an amount equal to the district cost per pupil for the base year minus the amount included in the district cost per pupil for the base year to compensate for the cost of special education support services for the base year times the budget enrollment of the school district for the base year, the comptroller shall increase the budget enrollment for the school district for the budget year to a number which will provide that one hundred two percent amount.

Sec. 6. Section 442.7, subsection 5, Code 1983,

Page 3

is amended by striking the subsection and inserting in lieu thereof the following:

5. Notwithstanding subsections 1 through 4, for the school year beginning July 1, 1984, the state percent of growth, including the recomputations required under subsection 4, is six and one-half percent.

Sec. 7. Section 442.9, subsection 1, paragraph a, Code 1983, is amended to read as follows:

a. As used in this chapter, "district cost per pupil" for the school year beginning July 1, 1975, and subsequent school years means district cost per pupil in weighted enrollment. The district cost per pupil for the budget year is equal to the district cost per pupil for the base year plus the allowable growth. However, district cost per pupil does not include additional allowable growth added for programs for gifted and talented children and for programs for returning dropouts under this chapter and does not include additional allowable growth established by the school budget review committee for a single school year only.

Sec. 8. Section 442.14, subsections 1 and 2, Code 1983, are amended to read as follows:

1. For the budget year beginning July 1, ~~1980~~ 1984, and each succeeding school year, if a school board wishes to spend more than the amount permitted

under sections 442.1 to 442.13, ~~and the school board has not attempted by resolution~~ the board may vote to raise an additional enrichment amount for that budget year, ~~the school board may raise an additional enrichment amount~~ not to exceed ten percent of the state cost per pupil multiplied by the budget enrollment in the district, as provided in this section.

2. The board shall determine the additional enrichment amount per pupil needed, within the limits of this section, and shall ~~direct the county commissioner of elections to submit the question of whether to raise that amount under this section and section 442.15, to the qualified electors of the school district at a regular school election held during September of the base year or at a special election held not later than February 15 of the base year. Only one election on the question shall be held during a twelve-month period. If a majority of those voting favors raising the enrichment amount~~ set a date for a public hearing on the issue. The date and location of the public hearing shall be published in a newspaper published in the district

Page 4

or in a county in which the district is located if there is no newspaper published in the district not less than fourteen days before the date set for the hearing. Following the public hearing, the board may include the approved amount in its certified budget.

Sec. 9. Section 442.15, unnumbered paragraph 1, Code 1983, is amended to read as follows:

~~If a majority of those voting in an election approves raising the additional enrichment amount under section 442.14 and this section, the~~ The board shall certify to the state comptroller that the required procedures have been carried out, and the state comptroller shall establish the amount of additional enrichment property tax to be levied and the amount of school district income surtax to be imposed for each school year for which the additional enrichment amount is authorized. The state comptroller shall determine these amounts based upon the most recent figures available for the district's valuation of taxable property, individual state income tax paid, and budget enrollment in the district, and shall certify to the district's county auditor the amount of enrichment property tax, and to the director of revenue the amount of school district income surtax

to be imposed.

Sec. 10. Section 442.15, unnumbered paragraph 3, Code 1983, is amended to read as follows:

An additional enrichment amount ~~authorized~~ approved under section 442.14 or a lesser amount than the amount so authorized may be continued as provided in this section for a period of five school years. If the amount authorized is less than the maximum of ten percent of the state cost per pupil and the board wishes to increase the amount, it shall re-establish its authority to do so in the manner provided in section 442.14. If the board wishes to continue any additional enrichment amount beyond the five-year period, it shall re-establish its authority to do so in the manner provided in section 442.14 within the twelve-month period prior to termination of the five-year period.

Sec. 11. Section 442.39, subsection 2, Code 1983, is amended to read as follows:

2. Pupils attending classes in another school district or an area school, attending classes taught by a teacher who is employed jointly under section 280.15, or attending classes taught by a teacher who is employed by another school district, are assigned a weighting of one plus one-tenth times the percent

Page 5

of the pupil's school day during which the pupil attends classes in another district or area school, attends classes taught by a teacher who is jointly employed under section 280.15, or attends classes taught by a teacher who is employed by another school district.

Sec. 12. Section 442.39, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. A school district receiving additional funds under subsection 2 for its pupils that are enrolled in sequential mathematics courses at the advanced algebra level and above; chemistry, advanced chemistry, physics or advanced physics courses; or foreign language courses shall have an additional weighting of one pupil added to its total.

Sec. 13. NEW SECTION. 442.45 PROGRAMS FOR RETURNING DROPOUTS. For the school year beginning July 1, 1984 and succeeding school years, boards of school districts, individually or jointly with boards of other school districts, requesting to use additional allowable growth for programs for returning dropouts, may annually submit comprehensive program plans for the programs and budget costs, including requests

for additional allowable growth for funding the programs, to the department of public instruction as provided in this chapter. In addition to the requirements for program plans listed in section 442.32, the program plans shall include:

1. A provision for dropout prevention and integration of dropouts into the educational program of the district.

2. A provision for identifying dropouts.

3. A program for returning dropouts.

Program plans for dropouts shall identify the parts of the plan that will be implemented first upon approval of the application. If a district is requesting to use additional allowable growth to finance the program, it shall not identify more than five percent of its budget enrollment for the budget year as returning dropouts.

Sec. 14. NEW SECTION. 442.46 DEFINED. "Returning dropouts" are resident pupils who have been enrolled in a public or nonpublic school in any of grades seven through twelve who withdrew from school for a reason other than transfer to another school or school district and who subsequently enrolled in public school in the district.

Sec. 15. NEW SECTION. 442.47 PLANS FOR RETURNING DROPOUTS. The board of directors of a school district requesting to use additional allowable growth for

Page 6

programs for returning dropouts shall submit applications for approval for the programs to the department not later than November 1 preceding the fiscal year during which the program will be offered. The department shall review the program plans and shall prior to January 15 either grant approval for the program or return the request for approval with comments of the department included. An unapproved request for a program may be resubmitted with modifications to the department not later than February 1. Not later than February 15, the department shall notify the state comptroller and the school budget review committee of the names of the school districts for which the programs using additional allowable growth for funding have been approved and the approved budget of each program listed separately for each school district having an approved program.

Sec. 16. NEW SECTION. 442.48 FUNDING FOR PROGRAMS FOR RETURNING DROPOUTS. The budget of an approved program for returning dropouts for a school district, after subtracting funds received from other sources

for that purpose, shall be funded annually on a basis of one-fourth or more from the district cost of the school district and up to three-fourths by an increase in allowable growth as defined in section 442.7. Annually, the state comptroller shall establish a modified allowable growth for each such district equal to the difference between the approved budget for the program for returning dropouts for that district and the sum of the amount funded from the district cost of the school district plus funds received from other sources.

Sec. 17. Section 453.2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The written resolution or order of the board of directors of a school board shall include information concerning the interest rate paid by the bank for deposits of school moneys and service charges for at least two banks.

Sec. 18. NEW SECTION. 453.15 STATE INVESTMENT. In addition to section 453.2, the board of directors of a school board, may by written resolution or order which shall be entered in the minutes of the board send moneys of the school district to the treasurer of state for investment for a period not less than ninety days. The treasurer of state shall maintain a separate account of moneys sent by each school district. The moneys of a school district may be commingled with state funds for purposes of investment. A school district shall not have a right to a specific

Page 7

asset of the state. The treasurer of state shall maintain the necessary records to determine the value of investments of each school district. Income or gain realized from investment of moneys of a school district and investment expense or loss shall be allocated to the moneys of each school district in the same ratio that the funds of the school district bear to the total funds.

A school district electing to transfer investment authority may withdraw its assets from state investments at the end of a month. Withdrawal shall be by written notice and the amount payable shall be the balance as of the end of the month next following receipt of the notice.

The treasurer of state shall adopt rules under chapter 17A for the administration of this section. The cost of administration shall be deducted from the earnings of the school districts.

Sec. 19. Section 442.28, Code 1983, is repealed.

Sec. 20. Sections 17 and 18 of this Act take effect July 1, 1983. The remaining sections of this Act take effect July 1, 1983 for the school year beginning July 1, 1984. This Act shall not affect the computation and payment of state aid and levying of property taxes under the state school foundation program for the school year beginning July 1, 1983."

Carpenter of Polk offered the following amendment H—3477, to the committee amendment H—3437, filed by her:

H—3477

Amend amendment H—3437, filed to House File 562, as follows:

1. Page 1, by striking lines 4 through 27.

2. By striking page 1, line 49 through page 2, line 21.

3. Page 7, by striking line 19.

Norland of Worth asked and received unanimous consent that House File 562 be deferred and that the bill retain its place on the calendar.

(Amendment H—3477, to amendment H—3437, pending.)

Appropriations Calendar

House File 536, a bill for an act appropriating funds to the energy policy council for grants to local governments for energy management programs, with report of committee recommending amendment and passage was taken up for consideration.

Rosenberg of Story offered the following amendment H—3378 filed by the committee on appropriations and moved its adoption:

H—3378

Amend House File 536 as follows:

1. Page 1, line 26, by inserting after the word "governments" the following: ", except schools and hospitals,".

The committee amendment H—3378 was adopted.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 536)

The ayes were, 81:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Rosenberg	Royer	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 17:

Corey	De Groot	Grandia	Harbor
Hermann	Hummel	Maulsby	McIntee
Paulin	Pellett	Renken	Rensink
Schnekloth	Stueland	Van Camp	Van Maanen
Welden			

Absent or not voting, 2:

Haverland	Renaud

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On motion by Norland of Worth, the House was recessed at 12:01 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the day, on request of Halvorson of Clayton.

INTRODUCTION OF BILLS

House File 609, by committee on human resources, a bill for an act relating to the regulation of radiation machines, radioactive materials and sources of nonionizing radiation and providing a civil penalty for violations.

Read first time and placed on the **calendar.**

House File 610, by Cochran and Clark, a bill for an act relating to the calculation of age and the calculation of benefits under the Iowa public employees' retirement system and to make an appropriation.

Read first time and referred to committee on **state government.**

House File 611, by committee on natural resources, a bill for an act to create a public outdoor recreation and resources program, imposing a tax and creating an advisory council.

Read first time and referred to committee on **ways and means.**

House File 612, by committee on judiciary and law enforcement, a bill for an act relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction.

Read first time and placed on the **calendar.**

SENATE MESSAGES CONSIDERED

Senate File 334, by Deluhery, a bill for an act relating to the release of a defendant before an appearance before a magistrate.

Read first time and **passed on file.**

Senate File 399, by Schwengels, a bill for an act relating to the status of the criminal and juvenile justice planning agency and its reporting procedures.

Read first time and referred to committee on **state government.**

Senate File 499, by committee on transportation, a bill for an act providing for the preservation of rail corridors for future rail use upon abandonment of the rail corridors.

Read first time and referred to committee on **transportation.**

Senate File 504, by committee on judiciary, a bill for an act relating to the repeal or modification of statutes and rules affected by the proposed Iowa rules of evidence.

Read first time and referred to committee on **judiciary and law enforcement.**

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 30, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 470, a bill for an act relating to the payment of costs in certain civil and administrative actions to which the state is a party.

K. MARIE THAYER, Secretary

MOTION TO RECONSIDER WITHDRAWN
(House File 37)

Arnould of Scott asked and received unanimous consent to withdraw the motion to reconsider House File 37, a bill for an act relating to the use of polygraph examinations as a condition of employment and providing a penalty, filed by him on March 22, 1983, placing out of order amendment H–3365 filed by Brammer of Linn on March 24, 1983 and amendment H–3347 filed by Arnould of Scott and Gronstal of Pottawattamie on March 22, 1983.

HOUSE FILE 355 WITHDRAWN

Poncy of Wapello asked and received unanimous consent to withdraw House File 355 from further consideration by the House.

HOUSE FILES 217 and 521 WITHDRAWN

Jay of Appanoose asked and received unanimous consent to withdraw House Files 217 and 521 from further consideration by the House.

HOUSE FILE 532 DEFERRED

Norland of Worth asked and received unanimous consent that House File 532 be temporarily deferred and that the bill retain its place on the calendar.

Regular Calendar

House File 442, a bill for an act relating to the hours of service by fire fighters, was taken up for consideration.

Spear of Lee offered the following amendment H–3343 filed by him and moved its adoption:

H–3343

Amend House File 442 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter 400, Code 1983, is amended by adding the following new section:

NEW SECTION. FIRE FIGHTERS HOURS OF SERVICE.

1. Fire fighters employed pursuant to this chapter shall not be required to remain on duty for more than an average of fifty-six hours per week during a month. However, effective July 1, 1984, and on July 1 of each succeeding even-numbered year, the average hours of duty per week during a month shall be reduced two hours until July 1, 1998, when an average of not more than forty hours per week during a month shall become effective. A single period of time or shift shall not exceed twenty-four hours in length except during a serious emergency when fire fighters may be required to remain on duty until the emergency has passed as ordered by the chief of the department or a person acting in the chief's place. Fire fighters called back to duty under this section shall be compensated in accordance with their regular hourly wage.

2. Subsection 1 does not apply to the chief of a fire department, to another person when in command of a fire department, or to fire fighters who are employed subject to call only.

Sec. 2. Sections 410.19, 410.20, 411.16 and 411.17, Code 1983, are repealed."

2. Amend the title, line 1, by inserting after the word "fighters" the words "and subjecting violators to a penalty".

Amendment H—3343 was adopted placing out of order the following amendments:

H—3246 filed by O'Kane of Woodbury and Connors of Polk on March 11, 1983.

H—3461, to amendment H—3246, filed by Schroeder of Pottawattamie on March 30, 1983.

Schroeder of Pottawattamie rose on a point of order and invoked Rule 32 on House File 442.

The Speaker ruled the point not well taken and Rule 32 not in order.

Schroeder of Pottawattamie moved to reconsider the vote by which amendment H—3343 was adopted by the House on March 31, 1983.

The motion lost.

Norland of Worth asked and received unanimous consent that House File 442 be deferred and placed on the calendar under unfinished business.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Royer of Page, for the remainder of the day, on request of Van Gerpen of Black Hawk.

SENATE AMENDMENT CONSIDERED

Jochum of Dubuque called up for consideration **House File 184**, a bill for an act relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds; the time when unclaimed deposits and refunds held by utilities are presumed abandoned, crediting the unclaimed deposits and refunds, and when abandoned property must be claimed from the treasurer of state; relating to funds available to area education agencies for special education support services; and relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs, amended by the Senate, and moved that the House concur in the following Senate amendment:

H–3432

Amend House File 184, as passed by the House, as follows:

1. Page 5, by inserting after line 14 the following:

"Sec. . Section 556.18, subsection 1, Code 1983, is amended to read as follows:

1. ~~All~~ Except as provided in section 13 of this Act, all funds received under this chapter, including the proceeds from the sale of abandoned property under section 556.17, shall ~~forthwith~~ be deposited by the ~~state~~ treasurer of state in the general funds of the state~~, except that~~. However, the treasurer shall retain in a separate trust fund an amount not exceeding twenty-five thousand dollars from which ~~he~~ the treasurer shall make prompt payment of claims duly allowed ~~by him as hereinafter provided~~ under section 556.17. Any abandoned money or money received from

the sale of abandoned property which totals twenty-five dollars or less becomes the property of the state on the date of receipt or sale as applicable and a claim filed for its recovery under section 556.19 shall not be allowed. Before making the deposit of more than twenty-five dollars, ~~he~~ the treasurer of state shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours."

2. Page 5, by striking lines 24 through 29 and inserting in lieu thereof the following: "the following new subsections:

NEW SUBSECTION. A claim for recovery of abandoned money or money received from the sale of abandoned property under section 556.17 of more than twenty-five dollars shall not be allowed if it is filed after ten years from the date of receipt of the abandoned property by the treasurer of state.

NEW SUBSECTION. Any abandoned property, other than money, which has an appraised value of more than twenty-five dollars but is not sold under section 556.17, shall be kept for ten years from the date of receipt by the treasurer of state. After the expiration of ten years, the treasurer of state may dispose of the abandoned property.

NEW SUBSECTION. Any abandoned property, other

Page 2

than money, which has an appraised value of twenty-five dollars or less and is not sold or offered for sale under section 556.17, may be disposed of by the treasurer of state.

NEW SUBSECTION. After abandoned property has been disposed of as provided in section 556.18 or this section, records relating to the abandoned property may be destroyed by the treasurer of state.

Sec. . ABANDONED PROPERTY RECEIVED BEFORE JULY 1, 1983. Any abandoned property, other than money, received by the treasurer of state under chapter 556 before July 1, 1973, and not sold under section 556.17 may be disposed of as determined by the treasurer of state. Effective July 1, 1983, a claim to recover abandoned property received by the treasurer of state

before July 1, 1973 under chapter 556 shall not be allowed. Records relating to the abandoned property received before July 1, 1973 may also be destroyed by the treasurer of state. Abandoned property received by the treasurer of state on or after July 1, 1973, shall be disposed of as provided in section 556.18 or 556.20."

3. By renumbering sections to conform with this amendment.

The motion prevailed and the House concurred in the Senate amendment H—3432.

Jochum of Dubuque moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 184)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renken	Rensink	Rosenberg
Running	Schnekloth	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Mr. Speaker			

The nays were, 3:

O'Kane	Schroeder	Zimmerman

Absent or not voting, 4:

Haverland	Renaud	Royer	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 577, a bill for an act permitting health maintenance organizations to advertise the names of health professionals providing health care services at the health maintenance organization, was taken up for consideration.

Zimmerman 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. 577)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Cochran	Gruhn	Haverland	Renaud
Royer	Tofte		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 535 DEFERRED

Norland of Worth asked and received unanimous consent that House File 535 be deferred and that the bill retain its place on the calendar.

House File 569, a bill for an act relating to the judicial nominating commissions, was taken up for consideration.

Varn 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. 569)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renken	Rensink
Rosenberg	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Haverland	Renaud	Royer	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 582, a bill for an act relating to the postconviction procedure Act, was taken up for consideration.

McIntee of Black Hawk offered the following amendment H–3464 filed by him and moved its adoption:

H–3464

Amend House File 582 as follows:
1. Page 1, line 9, by striking the word "may" and inserting in lieu thereof the word "must".
2. Page 1, line 10, by striking the words "at any time" and inserting in lieu thereof the words "~~at any time~~".

Amendment H–3464 was adopted.

Rosenberg of Story offered the following amendment H–3431 filed by him:

H–3431

Amend House File 582 as follows:
1. Page 1, line 10, by striking the word "two" and inserting in lieu thereof the word "six".

Knapp of Dubuque offered the following amendment H–3463, to amendment H–3431, filed by him;

H–3463

Amend amendment H–3431 to House File 582 as follows:
1. Page 1, line 3, by striking the word "six" and inserting in lieu thereof the word "four".

Norland of Worth asked and received unanimous consent that House File 582 be deferred and placed on the calendar under unfinished business.

(Amendment H—3463, to amendment H—3431, pending.)

MOTION TO RECONSIDER WITHDRAWN
(House File 512)

Van Maanen of Mahaska asked and received unanimous consent to withdraw the motion to reconsider House File 512, a bill for an act to authorize the state soil conservation committee to establish a fund from which to make loans for the establishment of soil and water conservation practices and making an appropriation, filed by him on March 29, 1983.

House File 592, a bill for an act relating to securities exempt from registration under the Iowa uniform securities Act, was taken up for consideration.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 592)

The ayes were, 85:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Hughes
Hummel	Jay	Jochum	Knapp
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 10:

Black	Branstad	Buhr	Cooper
Copenhaver	Groninga	Holveck	Koenigs
O'Kane	Ollie		

Absent or not voting, 5:

Doderer	Renaud	Royer	Tofte
Van Camp			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Norland of Worth asked and received unanimous consent that the following bills be immediately messaged to the Senate: House Files 150, 111, 441, 477, 489, 494, 437, 536, 577, 569 and 592.

O'Kane of Woodbury in the chair at 2:12 p.m.

SENATE FILE 334 SUBSTITUTED FOR HOUSE FILE 583

Jay of Appanoose asked and received unanimous consent to substitute Senate File 334 for House File 583.

Senate File 334, a bill for an act relating to the release of a defendant before an appearance before a magistrate, was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 334)

The ayes were, 96:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	Davitt	De Groot

Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renken	Rensink
Rosenberg	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (O'Kane)

The nays were, none.

Absent or not voting, 4:

Copenhaver	Renaud	Royer	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 556, a bill for an act implementing the midwest interstate low-level radioactive waste compact and providing penalties, was taken up for consideration.

Mullins of Kossuth offered the following amendment H—3486 filed by her and moved its adoption:

H—3486

Amend House File 556 as follows:

1. Page 1, line 11, by inserting after the word "Iowa" the words "subject to confirmation by the senate".

Amendment H—3486 was adopted.

Spear of Lee offered the following amendment H—3454 filed by him and moved its adoption:

H–3454

Amend House File 556 as follows:

1. Page 2, by striking line 24 and inserting in lieu thereof the following: "provision of the compact is guilty of an aggravated misdemeanor and, notwithstanding section 903.1, is".

2. Page 2, line 34, by inserting after the word "Act" the words "is guilty of a serious misdemeanor and, notwithstanding section 903.1,".

Amendment H–3454 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. 556)

The ayes were, 95:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renken	Rensink	Rosenberg
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (O'Kane)	

The nays were, none.

Absent or not voting, 5:

Cochran Haverland Renaud Royer
Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Avenson in the chair at 2:25 p.m.

Appropriations Calendar

House File 532, a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent to suspend Rule 31.8 for the immediate consideration of amendment H–3497.

Groth of Buena Vista offered the following amendment H–3497 filed from the floor by Groth, Daggett, Halvorson of Webster, Branstad, Ollie and Hanson:

H–3497

Amend House File 532 as follows:
1. By striking everything after the enacting clause and inserting in lieu thereof the following:
"Section 1. Chapter 261, Code 1983, is amended by adding the following new section as section 261.5:
NEW SECTION. 261.5 GUARANTEED LOAN PAYMENT PROGRAM. There is established a guaranteed student loan payment program to be administered by the commission. An individual who meets all of the following conditions is eligible for reimbursement payments under the program if the individual:
1. Is a teacher employed on a full-time basis under sections 279.13 through 279.19 in a school district in this state.
2. Has an outstanding debt with an eligible lender under the Iowa guaranteed student loan program as of the beginning of a school year.
3. Teaches one or more of the following during that school year:
a. A sequential mathematics course at the advanced

algebra level or higher.

b. A chemistry, advanced chemistry, physics or advanced physics course.

4. Graduated from college after July 1, 1983 with a major in mathematics or science.

The commission shall adopt rules under chapter 17A to provide for the administration of this program.

Annually, commencing July 1, 1983, there is appropriated from the general fund of the state to the Iowa college aid commission the sum of thirty thousand (30,000) dollars, or as much thereof as is necessary, to make the reimbursement payments required under this section.

Annual reimbursement payments to an eligible teacher for loan repayments made during a school year shall be equal to one thousand dollars or the remainder of a loan, whichever is less. If the amount appropriated for a fiscal year is insufficient to make the reimbursement payments for that year, the reimbursement payments shall be proportionally reduced. Total payments for an eligible teacher shall not exceed six thousand dollars. If a teacher fails to complete a year of instruction in a course listed in subsection 4, the teacher shall not be reimbursed for loan repayments made during that school year.

Sec. 2. Section 261.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Prepare and administer the Iowa science and mathematics loan program under this chapter.

Page 2

Sec. 3. NEW SECTION. 261.28 SCIENCE AND MATHEMATICS LOAN PROGRAM. The Iowa science and mathematics loan program is established to be administered by the commission. The purpose of the loan program is to assist teachers to obtain or to upgrade their teaching authorization in the areas of science or mathematics. The commission shall adopt rules under chapter 17A, in consultation with the board of educational examiners, to administer the program. The rules shall provide that loans not be granted to teachers for the purpose of improving their knowledge of subject content or teaching skills in order to teach courses in subject matter areas for which they possess approval granted by the board of educational examiners. The rules shall also provide that priority for loans be given to teachers possessing minimal qualifications for teaching science or mathematics.

Sec. 4. NEW SECTION. 261.29 LOANS TO TEACHERS. Loans may be granted only to a person possessing a valid teacher's certificate issued under chapter 260. The annual amount of a loan to a teacher enrolled as a full-time student shall not exceed one thousand dollars for the fiscal year beginning July 1, 1983 and one thousand five hundred dollars for each succeeding fiscal year, or the total amount of tuition and fees, whichever is less. The annual amount of a loan to a teacher enrolled on at least a half-time basis shall not exceed five hundred dollars for the fiscal year beginning July 1, 1983 and seven hundred fifty dollars for each succeeding fiscal year, or the total amount of tuition and fees, whichever is less. Loans may be made for courses in programs offered in this state and approved by the board of educational examiners. The board of educational examiners shall adopt rules pursuant to chapter 17A for approval of programs. The rules shall require that the programs provide training in both subject content and teaching methodology for mathematics and science teaching.

The commission shall set a final date for submission of applications each year and shall review the applications and inform the recipients within a reasonable time after the deadline.

Sec. 5. NEW SECTION. 261.30 APPROPRIATIONS. There is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1983 the sum of forty thousand (40,000) dollars, or as much thereof as is necessary, and for each succeeding fiscal year, the

Page 3

sum of one hundred forty thousand (140,000) dollars, or as much thereof as is necessary, to make loans under sections 261.28 and 261.29.

Sec. 6. NEW SECTION. 261.31 REPAYMENT. Repayment of the loan shall begin one year after the teacher completes the educational program for which tuition and fees are received. If a teacher submits evidence to the commission that the teacher was employed as a teacher of one or more science or mathematics courses or as an elementary teacher teaching science and mathematics in a public school district during that year in this state, fifty percent of the amount of the loan is canceled.

At the end of the second year, if the teaching requirements are met, the remainder of the loan is forgiven and payments made by that teacher during

the year shall be refunded to the teacher.

There is created a science and math loan repayment fund for deposit of payments made by teachers. Refunds of payments by teachers shall be paid by the commission to the teachers from the fund created in this section. Payments made by teachers that are not refunded shall be transferred on each June 30 from the fund created in this section to the general fund of the state.

The interest rate collected on the loan shall be equal to the interest rate being collected by an eligible lender under the guaranteed student loan program.

The commission shall prescribe by rule the terms of repayment which shall provide for monthly payments of principle and interest of not less than seventy-five dollars.

Sec. 7. NEW SECTION. 257.27 PROGRAMS FOR IMPROVEMENT OF SCIENCE AND MATHEMATICS TEACHING. The department shall provide for the establishment of programs, approved by the board of educational examiners, for teachers to improve skills in teaching in the science and mathematics areas. Each program shall provide assistance to teachers in subject content and teaching methodology for science or mathematics.

The programs may be established through an area education agency or public or private institution of higher education in this state.

There is appropriated from the general fund of the state to the department of public instruction for the fiscal year beginning July 1, 1984, and each succeeding fiscal year, the sum of sixty thousand (60,000) dollars, or as much thereof as is necessary, to be allocated for the establishment of programs under this section.

Page 4

Sec. 8. This Act, being deemed of immediate importance, takes effect from and after its publication in the Storm Lake Register, a newspaper published in Storm Lake, Iowa, and in The Leon Journal-Reporter, a newspaper published in Leon, Iowa."

The following amendment H—3502, to amendment H—3497, filed by Groth of Buena Vista from the floor was adopted by unanimous consent:

H—3502

Amend amendment H—3497 to House File 532 as follows:

1. Page 3, line 18, by striking the word "math" and inserting in lieu thereof the word "mathmatics".

Welden of Hardin offered the following amendment H—3498, to amendment H—3497, filed by him from the floor and moved its adoption:

H—3498

Amend amendment H—3497, to House File 532, as follows:
1. Page 1, line 28, by striking the word "Annually," and inserting in lieu thereof the words "For the fiscal year".
2. By striking page 2, line 50, through page 3, line 2, and inserting in lieu thereof the words "necessary, to make loans".
3. Page 3, lines 46 and 47, by striking the words "and each succeeding fiscal year,".

A non-record roll call was requested.

The ayes were 36, nays 52.

Amendment H—3498 lost.

Connolly of Dubuque offered the following amendment H—3499, to amendment H—3497, filed by him from the floor and moved its adoption:

H—3499

Amend amendment H—3497 to House File 532 as follows:
1. Page 3, line 11, by inserting after the word "district" the words "or in an approved nonpublic school".

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 40, nays 55.

Amendment H—3499 lost.

Menke of O'Brien asked for unanimous consent to amend amendment H—3497 by striking lines 1 through 5 on page 4.

Objection was raised.

Stromer of Hancock asked and received unanimous consent to temporarily defer action on House File 532 for the drafting of an amendment.

(Amendment H–3497, as amended, pending.)

Connors of Polk in the chair at 3:01 p.m.

Regular Calendar

The House resumed consideration of **House File 562**, a bill for an act relating to funds available to school districts, and amendment H–3477 (found on page 1001), to the committee amendment H–3437 (found on pages 994 through 1001), filed by Carpenter of Polk.

The House stood at ease at 3:05 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H–3477, to House File 562, at 3:38 p.m., Speaker Avenson in the chair.

Carpenter of Polk moved the adoption of amendment H–3477, to the committee amendment H–3437.

A non-record roll call was requested.

The ayes were 30, nays 54.

Amendment H–3477 lost.

Groth of Buena Vista offered the following amendment H–3467, to the committee amendment H–3437, filed by him and moved its adoption:

H–3467

Amend amendment H–3437, filed to House File 562, as follows:

1. Page 1, by inserting after line 27 the following sections:

"Sec. . Section 279.33, Code 1983, is amended to read as follows:

279.33 ANNUAL SETTLEMENTS. At a regular or special meeting held ~~in July prior to or on July~~ not later than August 15, the board of each school corporation shall meet, examine the books of and settle with the secretary and treasurer for the year ending on the ~~thirtieth day of~~ preceding June ~~preceding~~ 30, and transact ~~such~~ other business as ~~may properly come before it~~ necessary. The treasurer at the time of ~~such~~ settlement shall furnish the board with a sworn statement from each depository showing the balance then on deposit in ~~such~~ the depository. ~~Should~~ If the secretary or treasurer fail to make proper reports for ~~such~~ the settlement, the board shall take action to ~~secure the same~~ obtain the balance information.

Sec. . Section 279.34, Code 1983, is amended to read as follows:

279.34 FINANCIAL STATEMENT—PUBLICATION. In each school district, the board shall, during the second week of ~~July~~ August of each year, publish by one insertion in at least one newspaper, if there is a newspaper published in ~~said~~ the district, a summarized statement verified by affidavit of the secretary of the board showing the receipts and disbursements of all funds for the preceding school year. In all ~~such~~ districts of more than one hundred twenty-five thousand population, the statement of disbursements is to show the names of the persons, firms, or corporations, and the total amount paid to each during the school year.

Sec. . Section 279.35, Code 1983, is amended to read as follows:

279.35 OTHER DISTRICTS—FILING STATEMENT. In every school district ~~wherein~~ in which no newspaper is published, the president and secretary of the board of directors ~~thereof~~ shall file the ~~above~~ statement required in section 279.34 with the area education agency administrator during the second week of ~~July~~ August of each year and shall post copies ~~thereof~~ of the statement in three conspicuous places in the district."

2. By numbering and renumbering sections as necessary.

Amendment H—3467 was adopted.

Groth of Buena Vista offered the following amendment H—3492, to the committee amendment H—3437, filed by him and moved its adoption:

H–3492

Amend amendment H–3437, filed to House File 562, as follows:

1. Page 2, line 24, by striking the word "Thirty-five" and inserting in lieu thereof the word "Thirty".

2. Page 2, line 26, by striking the word "Sixty-five" and inserting in lieu thereof the word "Seventy".

Amendment H–3492 was adopted.

Daggett of Taylor offered the following amendment H–3466, to the committee amendment H–3437, filed by him and Groth of Buena Vista and moved its adoption:

H–3466

Amend amendment H–3437, filed to House File 562, as follows:

1. Page 2, by inserting after line 28 the following section:

"Sec. . Section 442.4, Code 1983, is amended by adding the following new subsection after subsection 3.

NEW SUBSECTION. 3A. For the school year beginning July 1, 1984 and each subsequent school year, if a school district's basic enrollment for the budget year is larger than its budget enrollment for the budget year, the district shall use its basic enrollment for the budget year in lieu of its budget enrollment for the budget year for computations required in this chapter."

2. By numbering and renumbering sections as necessary.

Roll call was requested by Daggett of Taylor and Hummel of Benton.

On the question "Shall amendment H–3466 be adopted?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Pellett	Poncy	Renken

Rensink	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen		

The nays were, 55:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Holveck	Hughes	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 7:

Jay	Muhlbauer	Renaud	Royer
Swartz	Tofte	Welden	

Amendment H—3466 lost.

Groth of Buena Vista offered the following amendment H—3459, to the committee amendment H—3437, filed by him and moved its adoption:

H—3459

Amend H—3437, filed to House File 562, as follows:
1. Page 2, line 32, by striking the figure "1983" and inserting in lieu thereof the figure "1984".

Amendment H—3459 was adopted.

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on amendment H—3478.

Krewson of Polk offered the following amendment H—3494, to the committee amendment H—3437, filed by him from the floor and moved its adoption:

H–3494

Amend H–3437, filed to House File 562, as follows:
1. Page 2, line 40, by striking the word "two".
2. Page 2, line 48, by striking the word "two".

Roll call was requested by Skow of Guthrie and Black of Jasper.

On the question "Shall amendment H–3494 be adopted?"

The ayes were, 5:

Branstad	Handorf	Hanson	Krewson
Van Camp			

The nays were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renken	Rensink	Rosenberg
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 5:

Clark	Doderer	Renaud	Royer
Tofte			

Amendment H–3494 lost.

Schnekloth of Scott offered the following amendment H—3481, to the committee amendment H—3437, filed by him and moved its adoption:

H—3481

Amend H—3437, filed to House File 562, as follows:
1. By striking page 3, lines 8 through 22.
2. By striking page 5, line 16 through page 6, line 32.
3. By renumbering as necessary.

Roll call was requested by Stueland of Clinton and Lageschulte of Bremer.

Rule 76 was invoked.

On the question "Shall amendment H—3481 be adopted?"

The ayes were, 28:

Anderson	Bennett	Branstad	Carpenter
Corey	De Groot	Fogarty	Grandia
Handorf	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	Menke
Paulin	Pellett	Renken	Rensink
Schnekloth	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 69:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Daggett	Davitt	Diemer	Doderer
Fey	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McIntee
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Rosenberg	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 3:

Renaud	Royer	Tofte

Amendment H—3481 lost.

Tabor of Jackson in the chair at 4:13 p.m.

Hanson of Delaware asked and received unanimous consent to temporarily defer action on amendment H—3482.

Maulsby of Calhoun offered the following amendment H—3480, to the committee amendment H—3437, filed by him and Van Gerpen of Black Hawk and moved its adoption:

H—3480

Amend H—3437, filed to House File 562, as follows:
1. By striking page 3, line 23, through page 4, line 42.
2. By renumbering sections as necessary.

Roll call was requested by Menke of O'Brien and Maulsby of Calhoun.

Rule 76 was invoked.

On the question "Shall amendment H—3480 be adopted?"

The ayes were, 76:

Anderson	Avenson	Baxter	Bennett
Black	Blanshan	Branstad	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fogarty	Grandia	Groninga
Gronstal	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Knapp	Koenigs	Lageschulte	Lonergan
Maulsby	McIntee	McKean	Menke
Muhlbauer	Mullins	Norland	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Renken	Rensink
Rosenberg	Schnekloth	Schroeder	Skow
Spear	Stromer	Stueland	Sturgeon

Sullivan	Swartz	Swearingen	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Tabor)

The nays were, 21:

Arnould	Brammer	Buhr	Connolly
Connors	Doderer	Fey	Groth
Halvorson, R. N.	Hammond	Haverland	Jochum
Krewson	Lloyd-Jones	Miller	O'Kane
Ollie	Poncy	Running	Sherzan
Shoultz			

Absent or not voting, 3:

Renaud	Royer	Tofte

Amendment H—3480 was adopted, placing out of order amendment H—3482, to amendment H—3437, filed by Hanson of Delaware on March 30, 1983.

Speaker Avenson in the chair at 4:28 p.m.

Hummel of Benton offered the following amendment H—3475, to the committee amendment H—3437, filed by him and moved its adoption:

H—3475

Amend H—3437, filed to House File 562, as follows:
1. By striking page 4, line 43, through page 5, line 6.
2. By renumbering sections as necessary.

A non-record roll call was requested.

The ayes were 26, nays 65.

Amendment H—3475 lost.

Bennett of Ida offered the following amendment H—3479, to the committee amendment H—3437, filed by him and Van Gerpen of Black Hawk. Division was requested as follows:

H–3479

1 Amend H–3437, filed to House File 562, as follows:

H–3479A

2 1. Page 6, by striking lines 33 through 39.

H–3479B

3 2. By striking page 6, line 40, through page 7,
4 line 18.

Bennett of Ida moved the adoption of amendment H–3479A, to the committee amendment H–3437.

Roll call was requested by Swartz of Marshall and Groth of Buena Vista.

On the question "Shall amendment H–3479A be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Fogarty	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Schnekloth	Schroeder	Skow	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 56:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
McIntee	Miller	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 5:

Lonergan	Muhlbauer	Renaud	Royer
Tofte			

Amendment H—3479A lost.

Bennett of Ida moved the adoption of amendment H—3479B, to the committee amendment H—3437.

Roll call was requested by Stromer of Hancock and Bennett of Ida.

On the question "Shall amendment H—3479B be adopted?"

The ayes were, 43:

Anderson	Bennett	Branstad	Carpenter
Chapman	Clark	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Knapp
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Schnekloth
Schroeder	Skow	Stromer	Stueland
Swartz	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 51:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chiodo	Cochran	Connolly	Connors
Copenhaver	Davitt	Doderer	Fey
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Holveck	Hughes
Jay	Jochum	Koenigs	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 6:

Cooper	Haverland	Muhlbauer	Renaud
Royer	Tofte		

Amendment H—3479B lost.

Halvorson of Clayton offered the following amendment H—3478, to the committee amendment H—3437, filed by him:

H—3478

Amend amendment H—3437, to House File 562, as follows:

1. Page 2, line 40, by striking the word "two" and inserting in lieu thereof the word "three".

2. Page 2, line 48, by striking the word "two" and inserting in lieu thereof the word "three".

Arnould of Scott in the chair at 5:07 p.m.

Halvorson of Clayton moved the adoption of amendment H—3478, to the committee amendment H—3437.

Roll call was requested by Menke of O'Brien and De Groot of Lyon.

On the question "Shall amendment H—3478 be adopted?"

The ayes were, 34:

Anderson	Bennett	Branstad	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Krewson
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen		

The nays were, 61:

Avenson	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Handorf	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane

Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Arnould)			

Absent or not voting, 5:

Muhlbauer	Renaud	Royer	Tofte
Welden			

Amendment H—3478 lost.

Lageschulte of Bremer offered the following amendment H—3476, to the committee amendment H—3437, filed by him and Daggett of Taylor and moved its adoption:

H—3476

Amend H—3437, filed to House File 562, as follows:

1. By striking page 1, line 4, through page 7, line 22 and inserting in lieu thereof the following:

"Section 1. Section 442.3, Code 1983, is amended to read as follows:

442.3 STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. ~~For~~ Except as otherwise provided in this section, for each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. However, for the school years beginning July 1, 1980, July 1, 1981, and July 1, 1982, the state foundation base shall be the same as the state foundation base for the school year beginning July 1, 1979. For the school year beginning July 1, 1984 and succeeding school years, the state foundation base is eighty percent of the state cost per pupil. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 2. Section 442.4, subsection 4, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

4. For the school year beginning July 1, 1984 and each succeeding school year, if an amount equal

to the district cost per pupil for the budget year minus the amount included in the district cost per pupil for the budget year to compensate for the cost of special education support services for a school district times the budget enrollment of the school district for the budget year is less than one hundred percent times an amount equal to the district cost per pupil for the base year minus the amount included in the district cost per pupil for the base year to compensate for the cost of special education support services for the base year for a school district times the budget enrollment of the school district for the base year, the state comptroller shall increase the budget enrollment for the school district for the budget year to a number which will provide that one hundred percent amount.

Sec. 3. This Act takes effect July 1, 1983 for the school year".

Roll call was requested by Groth of Buena Vista and Davitt of Warren.

On the question "Shall amendment H—3476 be adopted?"

The ayes were, 28:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	Diemer	Grandia
Handorf	Harbor	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
Menke	Paulin	Pellett	Renken
Rensink	Schnekloth	Stromer	Stueland
Torrence	Van Camp	Van Gerpen	Van Maanen

The nays were, 66:

Anderson	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
De Groot	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Haverland	Hermann	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	McKean	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear

Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Arnould)		

Absent or not voting, 6:

Chiodo	O'Kane	Renaud	Royer
Schroeder	Tofte		

Amendment H—3476 lost.

Krewson of Polk offered the following amendment H—3493, to the committee amendment H—3437, filed by him and Hanson of Delaware from the floor:

H—3493

Amend H—3437, filed to House File 562, as follows:

1. By striking page 1, line 4 through page 7, line 22, and inserting in lieu thereof the following:

"Section 1. Section 442.3, Code 1983, is amended to read as follows:

442.3 STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. ~~For~~ Except as otherwise provided in this section, for each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. However, for the school years beginning July 1, 1980, July 1, 1981, and July 1, 1982, the state foundation base shall be the same as the state foundation base for the school year beginning July 1, 1979. For the school year beginning July 1, 1984 and succeeding school years, the state foundation base is eighty percent of the state cost per pupil. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 2. Section 442.4, subsection 2, Code 1983, is amended by striking the subsection and inserting

in lieu thereof the following:

2. For the school year beginning July 1, 1984 and each succeeding school year, an adjusted enrollment shall be calculated for each school district. The adjusted enrollment for a budget year is equal to the basic enrollment for the budget year plus adjustments made by the state comptroller under subsection 4.

Sec. 3. Section 442.4, subsection 3, Code 1983, is amended by striking the subsection.

Sec. 4. Section 442.4, subsection 4, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

4. For the school year beginning July 1, 1984 and each succeeding school year, if an amount equal to the net district cost per pupil for the budget year for a school district times the adjusted enrollment of the school district for the budget year is less than an amount equal to the net district cost per pupil for the base year for a school district times, for the base year beginning July 1, 1983, the budget enrollment of the school district or, for each base year thereafter, the adjusted enrollment of the school district, the state comptroller shall increase

Page 2

the adjusted enrollment for the school district for the budget year to a number which will provide that one hundred percent amount.

For the purpose of this subsection, net district cost per pupil is the district cost per pupil for a year minus the amount included in the district cost per pupil for that year to compensate for the cost of special education support services of the area education agency.

Sec. 5. Section 442.7, subsection 5, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

5. Notwithstanding subsections 1 through 4, for the school year beginning July 1, 1984, the state percent of growth, including the recomputations required under subsection 4, is six percent.

Sec. 6. Section 442.14, subsection 1, Code 1983, is amended to read as follows:

1. For the budget year beginning July 1, ~~1980~~

1984, and each succeeding school year, if a school board wishes to spend more than the amount permitted under sections 442.1 to 442.13, and the school board has not attempted by resolution to raise an additional enrichment amount for that budget year, the school board may raise an additional enrichment amount not to exceed ten percent of the state cost per pupil multiplied by the ~~budget~~ adjusted enrollment in the district, as provided in this section.

Sec. 7. Section 442.15, unnumbered paragraph 1, Code 1983, is amended to read as follows:

If a majority of those voting in an election approves raising the additional enrichment amount under section 442.14 and this section, the board shall certify to the state comptroller that the required procedures have been carried out, and the state comptroller shall establish the amount of additional enrichment property tax to be levied and the amount of school district income surtax to be imposed for each school year for which the additional enrichment amount is authorized. The state comptroller shall determine these amounts based upon the most recent figures available for the district's valuation of taxable property, individual state income tax paid, and ~~budget~~ adjusted enrollment in the district, and shall certify to the district's county auditor the amount of enrichment property tax, and to the director of revenue the amount of school district income surtax to be imposed.

Sec. 8. Section 442.31, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Page 3

442.31 GIFTED AND TALENTED CHILDREN. For the school year beginning July 1, 1981 and succeeding school years, boards of school districts, individually or jointly with the boards of other school districts, requesting to use additional allowable growth for gifted and talented children programs, may annually submit program plans for gifted and talented children programs and budget costs, including requests for additional allowable growth for funding the programs, to the department of public instruction and to the applicable gifted and talented children advisory council, if an advisory council has been established, as provided in this chapter. A district shall not

identify more than three percent of its ~~budget~~ adjusted enrollment for the budget year as gifted and talented if the district is requesting to use additional allowable growth to finance the program.

Sec. 9. For the school year beginning July 1, 1984, the state cost per pupil shall be calculated using a revised state cost per pupil for the school year beginning July 1, 1983 in the manner provided in this section. The state comptroller shall determine the revised state cost per pupil for the school year beginning July 1, 1983 by using amounts for the school year beginning July 1, 1983 as follows:

1. By adding together the district cost of each district minus the additional district cost allocated to the district under section 442.27 to fund media services and educational services provided through the area education agency and by subtracting from that total amount the special education support services budgets of the fifteen area education agencies and dividing that total by the total adjusted enrollment in the state using the procedure prescribed in section 442.4, subsection 2, and the necessary enrollment figures for calculating adjusted enrollment for the school year beginning July 1, 1984. The resulting amount is the revised state cost per pupil for the regular program.

2. By adding together the special education support services budgets for the fifteen area education agencies and dividing the total by the total weighted enrollment in the state using the procedures prescribed in section 442.4 and the necessary enrollment figures for calculating weighted enrollment for the school year beginning July 1, 1984. The resulting amount is the revised state cost per pupil for special education.

3. The revised state cost per pupil is the amount obtained under subsection 1 plus the amount obtained

Page 4

under subsection 2.

Sec. 10. For the school year beginning July 1, 1984, the district cost per pupil of each school district shall be calculated using a revised district cost per pupil for the school year beginning July 1, 1983 in the manner provided in this section. The state comptroller shall determine each revised district cost per pupil for the school year beginning July 1, 1983 by using amounts for the school year beginning July 1, 1983 as follows:

1. By subtracting from the district cost of the

district the additional district cost allocated to the district under section 442.27 to fund media services and educational services provided through the area education agency and subtracting from that amount the portion of district cost that funds the special education support services for the area education agency and dividing the total by the adjusted enrollment for the district using the procedure prescribed in section 442.4, subsection 2, and the necessary enrollment figures for calculating adjusted enrollment for the school year beginning July 1, 1984. The resulting amount is the revised district cost per pupil for the regular program.

2. By dividing the special education support services budget for the area education agency in which the district is located by the total weighted enrollment of the districts in the area education agency using the procedure prescribed in section 442.4 and the necessary enrollment figures for calculating weighted enrollment for the school year beginning July 1, 1984. The resulting amount is the revised district cost per pupil for special education.

3. The revised district cost per pupil is the amount obtained under subsection 1 plus the amount obtained under subsection 2.

Sec. 11. In addition to the requirements of section 281.9, the school budget review committee shall establish the weighting plan for the school year beginning July 1, 1984 based upon the average costs of providing instruction for children requiring special education in the categories of the weighting plan established in section 281.9 and based upon the state cost per pupil and the district costs per pupil for the school year beginning July 1, 1984 calculated pursuant to sections 442.8 and 442.9 and sections 9 and 10 of this Act. Notwithstanding section 281.9, subsection 4, the school budget review committee may increase or decrease the weighting assigned to each category of children requiring special education by

Page 5

more than two-tenths of the weighting assigned to pupils in a regular curriculum.

Sec. 12. This Act takes effect July 1, 1983 for the school year".

Speaker Avenson in the chair at 5:31 p.m.

Krewson of Polk moved the adoption of amendment H—3493, to the committee amendment H—3437.

Roll call was requested by Krewson of Polk and Groth of Buena Vista.

On the question "Shall amendment H—3493 be adopted?"

The ayes were, 30:

Anderson	Branstad	Buhr	Carter
Clark	Corey	Daggett	Diemer
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Krewson
Maulsby	McIntee	O'Kane	Rosenberg
Running	Schnekloth	Shoultz	Stromer
Stueland	Sturgeon	Swearingen	Van Camp
Van Gerpen	Van Maanen		

The nays were, 66:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Carl	Carpenter
Chapman	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Davitt	De Groot
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Haverland	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renken
Rensink	Schroeder	Sherzan	Skow
Spear	Sullivan	Swartz	Tabor
Torrence	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 4:

Connors	Renaud	Royer	Tofte

Amendment H—3493 lost.

On motion by Groth of Buena Vista, the committee amendment H—3437, as amended, was adopted.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 562)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Pellett	Poncy	Rensink
Rosenberg	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 6:

Harbor	Menke	Paulin	Renken
Schnekloth	Welden		

Absent or not voting, 4:

Haverland	Renaud	Royer	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES
(House Files 184, 556 and 562)

Norland of Worth asked and received unanimous consent that

the following bills be immediately messaged to the Senate: House Files 184, 556 and 562.

HOUSE INSISTS

Doderer of Johnson called up for consideration **Senate File 386,** a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED
(Senate File 386)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 386: Doderer of Johnson, Chair; Tabor of Jackson, Rosenberg of Story, Schnekloth of Scott and Carpenter of Polk.

HOUSE FILE 583 WITHDRAWN

Jay of Appanoose asked and received unanimous consent to withdraw House File 583 from further consideration by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on

March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 379, a bill for an act relating to the motor vehicle code.

Also: That the Senate has on March 23, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 413, a bill for an act to prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition created within the lawful scope of practice.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 444, a bill for an act relating to the practice of veterinary medicine.

Also: That the Senate has on March 29, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 448, a bill for an act relating to the issuance, termination, and requirements for teachers' contracts.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 450, a bill for an act relating to the registration fees for class "A" motor homes.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 465, a bill for an act relating to construction, repair, and improvement projects at institutions under the control of the department of social services.

Also: That the Senate has on March 24, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 474, a bill for an act relating to the practice of chiropractic.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 475, a bill for an act to provide for a regulatory flexibility analysis in the promulgation of administrative rules.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 492, a bill for an act relating to the method of selecting petit jurors.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 493, a bill for an act relating to the motor vehicle code by providing a rebuttable presumption of residency and making other changes in the motor vehicle code.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 496, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties.

K. MARIE THAYER, Secretary

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 31st day of March, 1983: House File 120.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

COMMUNICATION FROM SECRETARY OF STATE

March 30, 1983

Mr. Joseph O'Hern
Chief Clerk of the House
L O C A L

Dear Mr. O'Hern:

Yesterday at 3:09 P.M. my office received the enrolled copy of Senate File 207, an Act relating to the overall length and width of vehicles and combinations of vehicles which may be operated on the highways of this state.

The general assembly has deemed this Act to be of "immediate importance" and designated that it shall be published in the Muscatine Journal and the Fort Dodge Messenger prior to its becoming effective.

Under normal circumstances we would carry out the general assembly's directive and see to it that the Act was published in a timely manner. Unfortunately, Senate File 207 also includes a section which states that Section 6 of the Act shall become effective on April 1, 1983.

Normal procedure would be to send the bill to the newspaper, have it published and a copy sent back to us for proofing. Clearly there was not time for the normal procedure to take place, since the bill had to be published on Thursday, March 31st. (A decision of the Attorney General's office states that bills become effective on the day following publication).

Consequently, I have exercised my authority found in Section 3.9 of the Code of Iowa, 1983, and have caused the bill to be published in the West Des Moines Express and The Des Moines Register.

The publication will be made on Thursday, March 31st. I regret that this action was necessary; however, I felt that this course was the only one available to ensure that the bill would become effective on the designated date.

Cordially,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

Hanson of Delaware presented to the House alumni of the Iowa Civilian Conservation Corps, who were present in the House chamber. They were in Des Moines to be honored by Governor Branstad for their great contribution to the people of Iowa on the fiftieth anniversary of the Civilian Conservation Corps.

SUBCOMMITTEE ASSIGNMENTS

House File 100

Finance: Halvorson of Webster, Chair; Branstad and Connolly.

House File 293

Ways and Means: Varn, Chair; Brammer and McKean.

House File 486

Ways and Means: Swartz, Chair; Bennett and Copenhaver.

House File 487

Ways and Means: Groninga, Chair; McKean and Renken.

House File 492

Ways and Means: Brammer, Chair; Fey and Schroeder.

House File 504

Ways and Means: Cochran, Chair; Holveck and Schroeder.

House File 520

Ways and Means: Tabor, Chair; Clark and Diemer.

House File 538

Ways and Means: Copenhaver, Chair; Anderson and Cochran.

House File 545

Ways and Means: Davitt, Chair; Schnekloth and Swartz.

House File 546

Ways and Means: Rosenberg, Chair; Osterberg and Renken.

House File 564

Ways and Means: Fey, Chair; Cochran and Lageschulte.

House File 566

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Senate Joint Resolution 9

State Government: Lloyd-Jones, Chair; Tofte and Woods.

Senate File 83

Judiciary and Law Enforcement: Parker, Chair; Corey and Varn.

Senate File 85

Ways and Means: Varn, Chair; Brammer and McKean.

Senate File 273

Transportation: Koenigs, Chair; Bennett and Cooper.

Senate File 281

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Senate File 292

Judiciary and Law Enforcement: Hammond, Chair; Doderer and Holveck.

Senate File 293

Local Government: O'Kane, Chair; Grandia and Peick.

Senate File 304

Judiciary and Law Enforcement: Doderer, Chair; McIntee and Varn.

Senate File 345

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Senate File 371

State Government: Woods, Chair; Renaud and Van Maanen.

Senate File 400

State Government: Arnould, Chair; Swartz and Van Maanen.

Senate File 407

Judiciary and Law Enforcement: Chapman, Chair; Hammond and Rosenberg.

Senate File 414

Human Resources: Zimmerman, Chair; Fey, Hammond, Peick, Royer, Torrence and Van Gerpen.

Senate File 423

Labor and Industrial Relations: Groth, Chair; Corey and Gronstal.

Senate File 432

Judiciary and Law Enforcement: McKean, Chair; Halvorson of Clayton and Rosenberg.

Senate File 435

State Government: Swartz, Chair; Arnould and Swearingen.

Senate File 436

State Government: Blanshan, Chair; Carl and Carpenter.

Senate File 441

Judiciary and Law Enforcement: Paulin, Chair; Corey and Halvorson of Clayton.

Senate File 457

State Government: Halvorson of Webster, Chair; Carl, Carpenter, Swartz and Van Maanen.

Senate File 459

Judiciary and Law Enforcement: Schroeder, Chair; Rosenberg and Tabor.

Senate File 467

Education: Hughes, Chair; Handorf and Spear.

Senate File 471

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

Senate File 479

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

Senate File 481

Judiciary and Law Enforcement: Haverland, Chair; Holveck and Miller.

Senate File 494

Judiciary and Law Enforcement: Varn, Chair; Brammer and Chapman.

Senate File 499

Transportation: Cochran, Chair; Harbor and Lloyd-Jones.

Senate File 503

Judiciary and Law Enforcement: Knapp, Chair; Maulsby and Parker.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 288

Ways and Means: Groninga, Chair; Daggett and O'Kane.

Study Bill 330

Ways and Means: Groninga, Chair; Carpenter, Osterberg, Schroeder and Varn.

Study Bill 331

Ways and Means: Varn, Chair; Brammer, Carpenter, Gronstal and Renken.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 239, a bill for an act relating to the simultaneous classification of the main and all laterals of a drainage district when a branch or lateral is improved.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1983.

COMMITTEE ON FINANCE

Committee Bill (Formerly Study Bill 302 Revised), to establish and fund works relief programs for unemployed Iowans during the 1983-1984 fiscal year, and appropriating funds to the office for planning and programming for the costs of the programs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 30, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 76, a bill for an act relating to the penalties for criminal mischief.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1983.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 151, a bill for an act to prohibit employers from charging applicants a fee as a condition of application or employment.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3501** March 30, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 118, a bill for an act providing for the discontinuation of a tax levy for, and dissolution of, a unified law enforcement district.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1983.

Senate File 391, a bill for an act relating to the commission on professional and occupational regulation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3495** March 30, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 318), to establish a tax study committee to conduct a study of the tax systems in this state to determine their impact on the citizens of this state and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 30, 1983.

AMENDMENTS FILED

H—3495	S.F. 391	Committee on State Government
H—3500	H.F. 535	Davitt of Warren Van Camp of Scott
H—3501	S.F. 151	Committee on Labor and Industrial Relations
H—3503	H.F. 532	Menke of O'Brien
H—3504	S.F. 431	Daggett of Taylor Zimmerman of Dallas
H—3505	H.F. 517	Harbor of Mills Sullivan of Van Buren Koenigs of Mitchell

H—3506	H.F. 422	Hermann of Scott Schnekloth of Scott Van Camp of Scott
H—3507	H.F. 417	Holveck of Polk Connors of Polk Buhr of Polk
H—3508	H.F. 555	Osterberg of Linn
H—3509	H.F. 555	Osterberg of Linn
H—3510	H.F. 565	Rosenberg of Story Spear of Lee
H—3511	H.F. 206	Jay of Appanoose
H—3512	H.F. 206	Spear of Lee
H—3513	H.F. 529	Halvorson of Webster

In accordance with House Concurrent Resolution 18, duly adopted, and on motion by Norland of Worth, the House adjourned at 6:03 p.m., until 10:00 a.m., Tuesday, April 5, 1983.

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day — Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 5, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Heber Miller, pastor of the Calvary United Methodist Church, Arnolds Park.

The Journal of Thursday, March 31, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James H. Coddington, Humboldt.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Peick of Linn, for a portion of the day, on request of Sherzan of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Brammer of Linn, from ten constituents of the 50th District favoring Senate File 345, an act authorizing specified professionals to dispense and issue prescription drugs.

By Peick of Linn, from ninety-nine constituents of the 52nd District favoring House File 585, an act relating to liability of the state and municipalities of the state and of officers and employees of municipalities and of the state.

From thirty-two constituents of the 52nd District favoring House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state.

By Renken of Grundy, from twenty-four constituents favoring raising the legal age of drinking to twenty-one years of age.

From twenty-one constituents opposing pari-mutuel betting in Iowa.

INTRODUCTION OF BILL

House File 613, by committee on appropriations, a bill for an act relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984.

Read first time and referred to committee on **finance.**

SENATE MESSAGE CONSIDERED

Senate File 470, by committee on small business and economic development, a bill for an act relating to the payment of costs in certain civil and administrative actions to which the state is a party.

Read first time and referred to committee on **small business and 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 March 30, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 53, a bill for an act relating to the donation of blood by persons seventeen years of age or older.

Also: That the Senate has on March 30, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 196, a bill for an act relating to health care by providing for the creation of a health data commission, its purposes, membership, powers and duties.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 452, a bill for an act relating to certain vehicles, transporting mobile homes, permit fees and length restriction of vehicles.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Appropriations Calendar

The House resumed consideration of **House File 532**, a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation, and amendment H—3497, as amended, (found on pages 1017 through 1020 of the House Journal) deferred March 31, 1983.

Menke of O'Brien offered the following amendment H—3503, to amendment H—3497, filed by him and moved its adoption:

H—3503

Amend H—3497 to House File 532 as follows:
1. Page 4, by striking lines 1 through 5.

A non-record roll call was requested.

The ayes were 44, nays 50.

Amendment H—3503 lost.

On motion by Groth of Buena Vista, amendment H—3497, as amended, was adopted, placing out of order amendment H—3370 filed by the committee on appropriations on March 24, 1983.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 532)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Haverland	Hermann

Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Pellett	Renaud	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 5:

Handorf	Maulsby	Poncy	Renken
Schroeder			

Absent or not voting, 3:

Mullins	Peick	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

House File 523, a bill for an act to provide for reciprocity among the states on the license fee for fur buyers, was taken up for consideration.

Spear of Lee offered amendment H–3448 filed by him and requested division as follows:

H–3448

Amend House File 523 as follows:

H–3448A

1. Page 1, by striking lines 6 through 10 and inserting in lieu thereof the following: "agreement with this state. The reciprocity agreement must provide that each state will charge nonresidents from the other state the same fee for the nonresident fur dealer's license and the fee under the agreement must be less than the statutory fee of this state for

nonresidents and higher than the statutory fee of this state for residents."

H–3448B

2. Page 1, by striking lines 11 through 14.

On motion by Spear of Lee, amendment H–3448A was adopted.

Spear of Lee moved the adoption of amendment H–3448B.

A non-record roll call was requested.

The ayes were 38, nays 50.

Amendment H–3448B lost.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 523)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Carter

Absent or not voting, 4:

Haverland	Mullins	Peick	Tofte

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 51)

Hummel of Benton asked and received unanimous consent to withdraw the motion to reconsider Senate File 51, a bill for an act relating to workers' compensation coverage and employers' liability coverage provided to corporate officers who voluntarily reject workers' compensation coverge, filed by him on March 11, 1983, placing out of order amendment H–3265 filed by Hummel of Benton on March 16, 1983.

House File 581, a bill for an act relating to the penalties for the crime of theft, was taken up for consideration.

Miller 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. 581)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie

Osterberg	Oxley	Parker	Paulin
Pavich	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Chapman	Krewson

Absent or not voting, 5:

Mullins	Peick	Rensink	Tofte
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 442 DEFERRED

Norland of Worth asked and received unanimous consent that House File 442 be deferred and that the bill retain its place on the calendar.

House File 535, a bill for an act to provide immunity for the state of Iowa, employees of the state, local government, and employees of local government, for acts or omissions where the act or omission was in accordance at the time of the act or omission with a generally accepted standard of design, engineering, or safety, was taken up for consideration.

Jay of Appanoose offered the following amendment H–3491 filed by him:

H–3491

Amend House File 535 as follows:
1. By striking everything after the enacting clause and inserting in lieu thereof the following:
"Section 1. Chapter 25A, Code 1983, is amended by adding the following new section:
NEW SECTION. REBUTTABLE PRESUMPTION. In any claim against the state of Iowa or an employee of the state

based on safety standards and standards of design and engineering of highways there shall be a rebuttable presumption that the state or its employee was not negligent when it is proven that the act or omission upon which the claim is based was in accordance, at the time of the act or omission, with generally accepted safety standards and standards of design and engineering.

Sec. 2. Section 613A, Code 1983, is amended by adding the following new section:

NEW SECTION. REBUTTABLE PRESUMPTION. In any claim against a municipality or an employee of a municipality based on safety standards and standards of design and engineering of highways there shall be a rebuttable presumption that the municipality or its employee was not negligent when it is proven that the act or omission upon which the claim is based was in accordance, at the time of the act or omission, with generally accepted safety standards and standards of design and engineering."

Davitt of Warren offered the following amendment H—3500, to amendment H—3491, filed by him and Van Camp of Scott and moved its adoption:

H—3500

Amend the House amendment H—3491, to House File 535 as follows:

1. Page 1, by striking lines 8 and 9, and inserting in lieu thereof the words "based on generally accepted design and engineering safety standards of highways there shall be a rebuttable".

2. Page 1, by striking lines 14 and 15 and inserting in lieu thereof the words "accepted design and engineering safety standards."

3. Page 1, by striking lines 20 and 21, and inserting in lieu thereof the words "based on generally accepted design and engineering safety standards of highways there shall be a rebuttable".

4. Page 1, by striking lines 26 and 27 and inserting in lieu thereof the words "generally accepted design and engineering safety standards."

A non-record roll call was requested.

The ayes were 60, nays 23.

Amendment H—3500 was adopted.

Schroeder of Pottawattamie asked for unanimous consent to defer action on House File 535.

Objection was raised.

On motion by Jay of Appanoose, amendment H—3491, as amended, was adopted, placing out of order amendment H—3490 filed by Jay of Appanoose on March 30, 1983 and amendment H—3489 filed by Parker of Jasper and Rosenberg of Story on March 30, 1983.

Norland of Worth asked and received unanimous consent that House File 535 be deferred and placed on the calendar under unfinished business.

Unfinished Business Calendar

The House resumed consideration of **House File 582,** a bill for an act relating to the postconviction procedure Act, and amendment H—3463, to amendment H—3431, (found on page 1012 of the House Journal), deferred and placed on the calendar under unfinished business on March 31, 1983.

Knapp of Dubuque asked and received unanimous consent to withdraw amendment H—3463 filed by him and found on page 1012 of the House Journal.

On motion by Rosenberg of Story, amendment H—3431 was adopted.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 582)

The ayes were, 88:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Doderer
Fey	Fogarty	Groninga	Gronstal

Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Hughes	Hummel
Jay	Jochum	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McKean
Menke	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Torrence	Van Camp	Van Gerpen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 10:

Chapman	Diemer	Grandia	Hammond
Holveck	Knapp	Maulsby	McIntee
Tabor	Van Maanen		

Absent or not voting, 2:

Mullins	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

House File 317, a bill for an act relating to the licensing of public school boards for the purpose of conducting gambling activities, with report of committee recommending passage was taken up for consideration.

Van Camp of Scott offered the following amendment H–3450 filed by him and moved its adoption:

H–3450

Amend House File 317 as follows:
1. Page 1, by striking lines 17 through 19.

Amendment H–3450 lost.

Chapman 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. 317)

The ayes were, 75:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Daggett
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Hermann	Holveck	Hughes
Hummel	Jay	Jochum	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 22:

Anderson	Bennett	Black	Branstad
Clark	Corey	De Groot	Grandia
Hammond	Haverland	Hoffmann-Bright	Knapp
Krewson	Maulsby	McKean	Menke
Paulin	Pellett	Renken	Rensink
Stueland	Van Maanen		

Absent or not voting, 3:

Gruhn	Mullins	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 593, a bill for an act to establish a moratorium on certain provisions of the chapter on land preservation and use effective upon publication, was taken up for consideration.

Groth of Buena Vista in the chair at 11:31 a.m.

Norland of Worth asked for unanimous consent that House File 593 be deferred and placed on the calendar under unfinished business.

Objection was raised.

Norland of Worth moved that House File 593 be deferred and placed on the calendar under unfinished business.

A non-record roll call was requested.

The ayes were 59, nays 33.

The motion prevailed and House File 593 was deferred and placed on the calendar under unfinished business.

Speaker Avenson in the chair at 11:50 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the morning session, and Mullins of Kossuth on request of Stromer of Hancock.

House File 587, a bill for an act relating to motor vehicle licenses by allowing use of minors' school licenses for travel between schools of enrollment, by exempting certain prior holders of minors' schools licenses from being required to take a motorcycle education course before being issued operators' licenses, and by exempting certain prior holders of one-year probationary operators' licenses from being required to take approved driver education courses before being issued operators' licenses and providing the bill is effective upon publication, was taken up for consideration.

Van Camp of Scott asked and received unanimous consent to withdraw amendment H—3451 filed by him on March 29, 1983.

Renaud 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. 587)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Branstad	Buhr

Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Mr. Speaker		

The nays were, 8:

Black	Chapman	Copenhaver	Gruhn
Haverland	Hoffmann-Bright	Osterberg	Zimmerman

Absent or not voting, 2:

Mullins	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE MESSAGES CONSIDERED

Senate File 379, by committee on transportation, a bill for an act relating to the motor vehicle code by extending the time period under which a vehicle may be operated under a "registration applied for" card, by extending the time period under which a dealer may file an application for registration and certificate of title, and by allowing a dealer under certain circumstances to display for sale a motor vehicle without first having obtained a certificate of title.

Read first time and **passed on file.**

Senate File 450, by committee on transportation, a bill for an act relating to the registration fees for class "A" motor homes.

Read first time and **passed on file.**

Senate File 465, by committee on state government, a bill for an act relating to construction, repair, and improvement projects at institutions under the control of the department of social services.

Read first time and referred to committee on **state government.**

Senate File 474, by committee on human resources, a bill for an act relating to the practice of chiropractic.

Read first time and referred to committee on **state government.**

Senate File 475, by committee on small business and economic development, a bill for an act to provide for a regulatory flexibility analysis in the promulgation of administrative rules.

Read first time and referred to committee on **small business and commerce.**

Senate File 492, by committee on judiciary, a bill for an act relating to the method of selecting petit jurors.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 493, by committee on judiciary, a bill for an act relating to the motor vehicle code by providing a rebuttable presumption of residency, by increasing the penalty for improper use of a registration card, registration plate, special plate, or permit, by requiring a motor vehicle overtaking another vehicle on the left to return to the right-hand portion of the roadway before coming within three hundred feet of an approaching vehicle, by clarifying certain language and eliminating certain inconsistent language in the motor vehicle code, by increasing the ability of an officer to issue a uniform citation and complaint, and providing a penalty.

Read first time and referred to committee on **transportation.**

Senate File 496, by committee on judiciary, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties.

Read first time and **passed on file.**

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent that the following bills be immediately messaged to the Senate: House Files 317, 523, 532, 581, 582 and 587.

SPECIAL COMMUNICATION

April 5, 1983

To: Members and Staff of the Iowa House of Representatives, 70th General Assembly

On behalf of my family and myself, I want to thank the members of the Iowa House for sending the beautiful floral arrangement to my sister's Memorial Service. This deed was greatly appreciated not only by Luella and myself but also the immediate family.

I also want to thank those who offered prayers and words of sympathy in our behalf.

I have often said some of the finest people of Iowa serve in the Iowa Legislature and I am proud and honored to count you as my friends.

Representative Harold Van Maanen

On motion by Norland of Worth, the House was recessed at 12:08 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 April 5, 1983, passed (with Amendment S–3289 adopted) the following bill in which the concurrence of the House is asked:

Senate File 478, a bill for an act relating to the jurisdiction of the juvenile court,

providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 498, a bill for an act relating to the liability for a subrogation claim for medical care or expenses through a medical assistance program.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Regular Calendar

House File 507, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record, was taken up for consideration.

Spear of Lee offered the following amendment H—3471 filed by him and moved its adoption:

H—3471

Amend House File 507 as follows:
1. Page 1, by striking lines 12 and 13 and inserting in lieu thereof the following:
"2. The peace officer or the fire department member was responding to what the officer or member reasonably believed to be a bona fide emergency situation when the accident occurred."

Amendment H—3471 was adopted.

Miller of Woodbury asked for unanimous consent to amend House File 507 by including ambulance drivers.

Objection was raised.

Miller 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. 507)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Lonergan	Menke

Absent or not voting, 1:

Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 448, a bill for an act providing for the regulation of residential maintenance service companies by the commissioner of insurance, and providing penalties, was taken up for consideration.

Swartz of Marshall offered the following amendment H–3445 filed by him and Schroeder of Pottawattamie and moved its adoption:

H—3445

Amend House File 448 as follows:

1. Page 1, line 6, by striking the words "in which a person" and inserting in lieu thereof the words "between a residential customer and a service company which".

2. Page 8, by striking line 31 through page 9, line 2 and inserting in lieu thereof the following:

"2. A service contract, guarantee or warranty between a residential customer and a service company which will perform the work itself and not through subcontractors for the service, repair or replacement of appliances or electrical, plumbing, heating, cooling or air conditioning systems."

Amendment H—3445 was adopted, placing out of order amendment H—3349 filed by Swartz of Marshall and Schroeder of Pottawattamie on March 22, 1983.

Swartz 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. 448)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor

Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

Carter	Chapman	Holveck	Spear

Absent or not voting, 2:

Krewson	Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 425, a bill for an act relating to the official title of the chief executive officer of a county conservation board and the compensation of its officers and employees, with report of committee recommending passage was taken up for consideration.

Spear of Lee offered the following amendment H–3278 filed by him and moved its adoption:

H–3278

Amend House File 425 as follows:

1. Page 1, line 20, by striking the words "RULES AND" and inserting in lieu thereof the words "~~RULES AND~~".

Amendment H–3278 was adopted.

Black of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 425)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga

Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 4:

Chapman	Doderer	Hammond	Pavich

Absent or not voting, 1:

Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 517, a bill for an act to limit the time for filing an action based upon a security interest in farm products to two years from the date of sale of the products, was taken up for consideration.

Koenigs of Mitchell offered the following amendment H—3460 filed by Koenigs, et al. :

H—3460

Amend House File 517 as follows:

1. Page 1, by inserting after line 15 the following:

"Sec. . Section 554.9402, subsection 1, Code 1983, is amended to read as follows:

1. A financing statement is sufficient if it gives the names of the debtor and the secured party, is signed by the debtor, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor, gives the social security number of

the debtor if the debtor is a natural person and the internal revenue service tax identification number if the debtor is not a natural person, and contains a statement indicating the types, or describing the items, of collateral. A financing statement may be filed before a security agreement is made or a security interest otherwise attaches. When the financing statement covers crops growing or to be grown, the statement must also contain a description of the real estate concerned. When the financing statement covers timber to be cut or covers minerals or the like (including oil and gas) or accounts subject to section 554.9103, subsection 5, or when the financing statement is filed as a fixture filing (section 554.9313) and the collateral is goods which are or are to ~~be~~ become fixtures, the statement must also comply with subsection 5. A copy of the security agreement is sufficient as a financing statement if it contains the above information and is signed by the debtor. A carbon, photographic or other reproduction of a security agreement or a financing statement is sufficient as a financing statement if the security agreement so provides or if the original has been filed in this state.

Sec. . Section 570.1, Code 1983, is amended to read as follows:

570.1 LIEN CREATED—PROPERTY SUBJECTED. A landlord ~~shall have~~ has a lien for ~~his~~ the rent upon all crops grown upon the leased premises, and upon any other personal property of the tenant which has been used or kept ~~thereon~~ on the leased premises during the term and which is not exempt from execution. A landlord claiming a lien under this section shall file an itemized and verified statement of the rent claimed due. The statement shall be filed in the office of the secretary of state and shall be filed within ten days after the time the rent is due and unpaid. The secretary of state shall note the filing of the verified statement and shall index the filing

Page 2

under the name of the tenant.

Sec. . Section 571.3, Code 1983, is amended to read as follows:

571.3 PRESERVATION OF LIEN. In order to preserve ~~said~~ the lien the person entitled ~~thereto~~ to the lien must, within ten days from the completion of the work for which the lien is claimed, file in the office of the ~~clerk of the district court of the county in which said services were rendered~~ secretary of state

an itemized and verified statement setting forth the services rendered, the number of bushels of grain threshed or corn shelled, the value of ~~said~~ the services, ~~and~~ the name of the person for whom ~~said~~ the services were rendered and the place where ~~said~~ the services were rendered; and the ~~clerk of the district court~~ secretary of state shall note the filing of ~~said~~ the verified statement ~~in a book kept by him for that purpose~~ and index the ~~same~~ filing under the name of the person for whom ~~such~~ the service was performed.

2. Title page, by striking lines 1 through 3 and inserting in lieu thereof the following: "An Act regarding the filing of liens and security interest on farm products."

3. Renumber as necessary.

Grandia of Marion offered the following amendment H—3518 to amendment H—3460, filed by him and Royer of Page from the floor:

H—3518

Amend amendment H—3460, to House File 517 as follows:

1. Page 1, by inserting after line 1 the following:

"1. Page 1, by inserting before line 1 the following:

"Section 1. NEW SECTION. AUCTIONEER NONLIABILITY FOR SALE OF PERSONAL PROPERTY SUBJECT TO A SECURITY INTEREST. An auctioneer who sells personal property subject to a security interest is not liable to the secured party for damages arising from the sale, if all of the following conditions apply:

1. The auctioneer acted in good faith.

2. The auctioneer did not know of the existence of the security interest.

3. The auctioneer disclosed the name of the owner of the property as known to the auctioneer at the time of the auction.

4. The auctioneer had no interest in the property and acted only as an agent of the owner to facilitate a sale." "

2. By renumbering sections as required by this amendment.

Lonergan of Boone rose on a point of order that amendment H—3518 was not germane.

The Speaker ruled the point well taken and amendment H—3518 not germane.

Harbor of Mills offered the following amendment H–3505, to amendment H–3460, filed by Harbor, et al., and moved its adoption:

H–3505

Amend House amendment H–3460, to House File 517 as follows:

1. Page 2, by striking lines 23 and 24 and inserting in lieu thereof the words "relating to the information required in a statement filed to secure an interest in farm products and requiring certain statements to be filed in the office of the secretary of state, and limiting the time for filing an action based upon a security interest in farm products.

Amendment H–3505 was adopted.

Cochran of Webster rose on a point of order that amendment H–3460 was not germane.

The Speaker ruled the point well taken and amendment H–3460 not germane.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 517)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker

Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 1:

Groninga

Absent or not voting, 1:

Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 323, a bill for an act relating to sex discrimination in retirement programs, with report of committee recommending passage was taken up for consideration.

Carl of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 323)

The ayes were, 84:

Anderson	Arnould	Baxter	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
Davitt	De Groot	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Renaud

Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 14:

Bennett	Copenhaver	Diemer	Halvorson, R. A.
Handorf	Hanson	Harbor	Krewson
Pellett	Poncy	Renken	Rensink
Skow	Welden		

Absent or not voting, 2:

Hermann	Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 529, a bill for an act requiring local public agencies and state and local public safety agencies to provide emergency telephone service, creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, was taken up for consideration.

Hughes of Union in the chair at 4:13 p.m.

Van Camp of Scott offered the following amendment H–3449 filed by him and moved its adoption:

H–3449

Amend House File 529 as follows:

1. Page 2, line 14, by inserting after the word "services." the words "The public safety answering point shall be capable of receiving calls from hearing impaired persons through a telecommunications device for the deaf."

Amendment H–3449 was adopted.

Halvorson of Webster offered the following amendment H–3334 filed by him and moved its adoption:

H—3334

Amend House File 529 as follows:
1. Page 3, line 4, by striking the word "Eleven" and inserting in lieu thereof the word "Twelve".
2. Page 3, by striking lines 18 and 19 and inserting in lieu thereof the following:
"e. Two persons representing common carriers providing public telephone service in Iowa, one representing a telephone company subject to rate regulation under section 476.1 and one representing a telephone company that is not subject to rate regulation under section 476.1."

Amendment H—3334 was adopted.

Halvorson of Webster offered the following amendment H—3513 filed by him and moved its adoption:

H—3513

Amend House File 529 as follows:
Page 4, by striking lines 28 and 29 and inserting in lieu thereof the following:
"4. The equipment, capability and operational standards that should be established for 911 service, including procedures for transmitting calls, that will result in the shortest response time in emergencies and the best service to the public."

Amendment H—3513 was adopted.

Norland of Worth asked and received unanimous consent that House File 529 be deferred and placed on the calendar under unfinished business.

House File 363, a bill for an act to require fiscal notes on bills, joint resolutions, and administrative rules which impose state mandates on political subdivisions of the state, was taken up for consideration.

Spear of Lee offered the following amendment H—3213 filed by Spear, et al., and moved its adoption:

H—3213

Amend House File 363 as follows:
1. Page 1, by striking lines 14 through 17 and

inserting in lieu thereof the following: "after January 1, 1984, which requires one or more political subdivisions of the state to establish, expand, or modify their activities in a manner which necessitates additional local revenue expenditures of more than one hundred thousand dollars annually or a combined total of more than five hundred thousand dollars within five years after the requirement is effective."

Amendment H–3213 was adopted.

Spear 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. 363)

The ayes were, 81:

Arnould	Avenson	Baxter	Black
Blanshan	Branstad	Buhr	Carl
Carpenter	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	Diemer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hoffmann-Bright
Holveck	Jay	Jochum	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker (Hughes)			

The nays were, 17:

Anderson	Bennett	Carter	Chapman
Clark	De Groot	Doderer	Grandia
Harbor	Hermann	Hummel	Knapp
Krewson	Menke	Shoultz	Van Maanen
Welden			

Absent or not voting, 2:

Brammer Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 35, a bill for an act relating to extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday, with report of committee recommending amendment and passage was taken up for consideration.

Renaud of Polk offered the following amendment H–3267 filed by the committee on state government and moved its adoption:

H–3267

Amend House File 35 as follows:

1. Page 1, line 11, by striking the words "noon and ten p.m." and inserting in lieu thereof the words "noon and ten p.m. eleven a.m.".

2. Page 1, line 30, by striking the words "noon and ten p.m." and inserting in lieu thereof the words "noon and ten p.m. eleven a.m.".

3. Page 2, line 6, by striking the words "noon and ten p.m." and inserting in lieu thereof the words "noon and ten p.m. eleven a.m.".

4. Page 2, line 9, by striking the words "noon and ten p.m." and inserting in lieu thereof the words "noon and ten p.m. eleven a.m.".

5. Page 2, line 24, by striking the word "noon" and inserting in lieu thereof the words "noon eleven a.m.".

6. Page 2, line 26, by striking the word "noon" and inserting in lieu thereof the words "noon eleven a.m.".

Roll call was requested by Bennett of Ida and Schroeder of Pottawattamie.

On the question "Shall amendment H–3267 be adopted?"

The ayes were, 43:

Arnould	Baxter	Blanshan	Buhr
Carl	Chapman	Chiodo	Connolly
Connors	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Halvorson, R. A.	Hanson	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones

McIntee	Miller	O'Kane	Parker
Pavich	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Varn	Woods	

The nays were, 54:

Anderson	Avenson	Bennett	Black
Branstad	Carpenter	Carter	Clark
Cooper	Copenhaver	Corey	Daggett
De Groot	Grandia	Gruhn	Halvorson, R. N.
Hammond	Handorf	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hummel
Jay	Lageschulte	Lonergan	Maulsby
McKean	Menke	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Paulin
Peick	Pellett	Poncy	Renken
Rensink	Royer	Schnekloth	Schroeder
Stueland	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden
Zimmerman	Mr. Speaker (Hughes)		

Absent or not voting, 3:

Brammer	Cochran	Mullins

Amendment H–3267 lost.

Bennett of Ida offered the following amendment H–3331 filed by him:

H–3331

Amend House File 35 as follows:

1. Page 1, line 14, by striking the word "twenty" and inserting in lieu thereof the words "~~twenty~~ thirty".

2. Page 2, line 11, by striking the word "twenty" and inserting in lieu thereof the words "~~twenty~~ thirty".

Renaud of Polk rose on a point of order that amendment H–3331 was not germane.

The Speaker ruled the point well taken and amendment H–3331 not germane.

Bennett of Ida asked for unanimous consent to suspend the rules to consider amendment H—3331.

Objection was raised.

Bennett of Ida moved that the rules be suspended to consider amendment H—3331.

A non-record roll call was requested.

The ayes were 38, nays 64.

The motion lost.

Norland of Worth asked and received unanimous consent that House File 35 be deferred and placed on the calendar under unfinished business.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent that the following bills be immediately messaged to the Senate: House Files 323, 425, 448, 507 and 517.

House File 508, a bill for an act to eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities, was taken up for consideration.

Schnekloth of Scott offered the following amendment H—3276 filed by him:

H—3276

Amend House File 508 as follows:

1. Page 1, by inserting before line 1 the following new section:

"Section 1. Section 321.37, unnumbered paragraph 1, Code 1983, is amended to read as follows:

~~Registration plates issued for a motor vehicle other than a motorcycle, motorized bicycle or a truck tractor shall be attached to the motor vehicle, one in the front and the other in the rear.~~ The registration plate issued for a motor vehicle,

motorcycle, motorized bicycle, or other vehicle required to be registered ~~hereunder~~ under this chapter, other than a truck tractor, shall be attached to the rear of the vehicle. The registration plate issued for a truck tractor shall be attached to the front of the truck tractor. The special plate issued to a dealer shall be attached on the rear of the vehicle when operated on the highways of this state."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

Muhlbauer of Crawford rose on a point of order that amendment H—3276 was not germane.

The Speaker ruled the point well taken and amendment H—3276 not germane.

Norland of Worth asked and received unanimous consent that House File 508 be deferred and that the bill retain its place on the calendar.

House File 444, a bill for an act to exempt from registration fees and issue official registration plates for any official vehicle leased for a period of sixty days or more by a governmental body, was taken up for consideration.

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. 444)

The ayes were, 95:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hummel

Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Mr. Speaker (Hughes)	

The nays were, 4:

Blanshan	Miller	O'Kane	Zimmerman

Absent or not voting, 1:

Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Avenson in the chair at 5:20 p.m.

House File 555, a bill for an act to encourage the development of alternate energy production facilities, cogeneration facilities, and small hydroelectric facilities, was taken up for consideration.

Osterberg of Linn offered the following amendment H–3509 filed by him and moved its adoption:

H–3509

Amend House File 555 as follows:
1. Page 3, by striking lines 17 and 18, and inserting in lieu thereof the following:
"4. The commission shall consider the factors listed in subsection 3 in setting rates for existing facilities. However,".

Amendment H–3509 was adopted.

Osterberg of Linn offered the following amendment H–3508 filed by him and moved its adoption:

H–3508

Amend House File 555 as follows:

1. By striking page 4, line 32 through page 5, line 3 and inserting in lieu thereof the following:

"CAPACITY. Capacity purchased from a cogeneration facility or alternate energy production facility shall not be included in a calculation of an electric utility's excess generating capacity for ratemaking purposes."

Amendment H–3508 was adopted.

Osterberg 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. 555)

The ayes were, 86:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	O'Kane	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Poncy	Renaud	Rensink
Rosenberg	Royer	Running	Sherzan
Shoultz	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 12:

Anderson	Daggett	Grandia	Harbor
Hummel	Maulsby	Pellett	Renken
Schnekloth	Schroeder	Stueland	Welden

Absent or not voting, 2:

Mullins Ollie

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 565 DEFERRED

Norland of Worth asked and received unanimous consent that House File 565 be deferred and that the bill retain its place on the calendar.

House File 572, a bill for an act relating to the authority of the court over certain persons who committed crimes, was taken up for consideration.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 572)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Norland
O'Kane	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte

Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Mullins	Ollie	Shoultz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 578, a bill for an act relating to certain information and documents containing certain information, involving persons convicted of crimes, was taken up for consideration.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 578)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen

Van Maanen	Varn	Welden	Woods
Mr. Speaker			

The nays were, 2:

Chapman	Zimmerman

Absent or not voting, 1:

Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 584, a bill for an act relating to circumstances under which sexual abuse is sexual abuse in the second degree, was taken up for consideration.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 584)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Norland	O'Kane
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte

Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Fey	Mullins	Ollie

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 508)

Norland of Worth asked and received unanimous consent that House File 508 be deferred and placed on the calendar under unfinished business.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent that the following bills be immediately messaged to the Senate: House Files 363, 444, 555, 572, 578 and 584.

MOTION TO RECONSIDER WITHDRAWN
(House File 199)

Parker of Jasper asked and received unanimous consent to withdraw the motion to reconsider House File 199, a bill for an act to provide that a person who is required by a soil conservation district to institute soil and water conservation practices or erosion control practices may be required to submit to the district three bids from contractors, filed on March 21, 1983.

MOTIONS TO RECONSIDER
(Amendment H–3491 to House File 535)

I move to reconsider the vote by which amendment H–3491, as amended, to House File 535 was adopted by the House on April 5, 1983.

LAGESCHULTE of Bremer

(Amendment H—3491 to House File 535)

I move to reconsider the vote by which amendment H—3491, as amended, to House File 535 was adopted by the House on April 5, 1983.

SCHROEDER of Pottawattamie

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 163, a bill for an act creating a possessory lien on personal property in a self-service storage facility and establishing a method for enforcing the lien.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 221, a bill for an act relating to treatment of animals by persons licensed or registered under chapter 162 with penalties of license or registration suspension or revocation.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 356, a bill for an act creating the Iowa department of public broadcasting and prescribing its powers and duties.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 370, a bill for an act relating to awards for punitive damages against officers and employees of governmental subdivisions.

Also: That the Senate has on March 31, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 415, a bill for an act to provide that a salvage vehicle be identified on the motor vehicle certificate of title.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 477, a bill for an act relating to the liability of dog owners.

K. MARIE THAYER, Secretary

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4, 1983 he approved and transmitted to the Secretary of State the following bill:

House File 120, an act relating to school year requirements.

COMMUNICATION FROM SECRETARY OF STATE

March 31, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 207 was published in The Des Moines Register on March 31, 1983 and in the West Des Moines Express on March 31, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Thursday, March 31, 1983. Had I been present, I would have voted "aye" on House Files 111, 150, 184, 556, 562, 569, 577, 592 and Senate File 334.

ROYER of Page

I was necessarily absent from the House chamber on March 31, 1983. Had I been present, I would have voted "aye" on House File 592.

VAN CAMP of Scott

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty 4-H members from Clinton County, accompanied by Joan Nelson. By Stueland and Ollie of Clinton.

COMMUNICATIONS RECEIVED

The following communications have been received and are on file in the office of the Chief Clerk:

STATE OF ARKANSAS

House Concurrent Resolution 10, requesting congress to enact legislation, or if necessary to propose an amendment to the United States constitution, to streamline the criminal appellate process.

IOWA INDUSTRIAL COMMISSIONER

The Thirty-fifth Biennial Report of the Industrial Commissioner, pursuant to Chapters 17.3 and 86.9, Code of Iowa.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 100, a bill for an act creating the Iowa advanced technology institute and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3519** April 5, 1983.

Pursuant to House Rule 33, House File 100 was referred to the committee on Finance.

AMENDMENTS FILED

H–3514	H.F. 508	Muhlbauer of Crawford
H–3515	H.F. 508	Pavich of Pottawattamie
H–3516	H.F. 206	Spear of Lee
H–3517	H.F. 196	Senate Amendment
H–3519	H.F. 100	Committee on Appropriations
H–3520	S.F. 509	Spear of Lee

H–3521	S.F. 349	Rosenberg of Story
H–3522	S.F. 457	Bennett of Ida
H–3523	H.F. 603	Woods of Polk
H–3524	H.F. 612	Doderer of Johnson
H–3525	H.F. 440	Zimmerman of Dallas Skow of Guthrie
H–3526	S.F. 463	Zimmerman of Dallas Fey of Scott
H–3527	H.F. 555	Anderson of Audubon Van Gerpen of Black Hawk
H–3528	H.F. 514	Chiodo of Polk Branstad of Winnebago Halvorson of Clayton Carpenter of Polk Skow of Guthrie Gronstal of Pottawattamie
Schroeder of Pottawattamie		
Baxter of Des Moines		
Swartz of Marshall		
Parker of Jasper		

On motion by Norland of Worth, the House adjourned at 5:42 p.m., until 9:00 a.m., Wednesday, April 6, 1983.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day—Fifty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 6, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend J. Paul Stevens, pastor of the United Methodist Church, Dayton.

The Journal of Tuesday, April 5, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Nelson Chesney, Davenport.

PETITION FILED

The following petition was received and placed on file:

By Sullivan of Van Buren, from twenty members of the Keokuk City Fire Department favoring Senate File 46, an act exempting local government from liability for certain claims.

INTRODUCTION OF BILLS

House File 614, by committee on finance, a bill for an act to establish and fund work relief programs for unemployed Iowans during the 1983-1984 fiscal year, and appropriating funds to the office for planning and programming for the costs of the programs.

Read first time and placed on the **appropriations calendar.**

House File 615, by committee on ways and means, a bill for an act to establish a tax study committee to conduct a study of the tax systems in this state to determine their impact on the citizens of this state and making an appropriation.

Read first time and referred to committee on **appropriations.**

SENATE MESSAGES CONSIDERED

Senate File 163, by Readinger, a bill for an act creating a possessory lien on personal property in a self-service storage facility and establishing a method for enforcing the lien.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 221, by Horn, a bill for an act relating to treatment of animals by persons licensed or registered under chapter 162 with penalties of license or registration suspension or revocation.

Read first time and referred to committee on **state government.**

Senate File 356, by committee on state government, a bill for an act creating the Iowa department of public broadcasting and prescribing its powers and duties.

Read first time and referred to committee on **state government.**

Senate File 370, by committee on local government, a bill for an act relating to awards for punitive damages against officers and employees of governmental subdivisions.

Read first time and referred to committee on **local government.**

Senate File 415, by Miller of Des Moines, a bill for an act to provide that a salvage vehicle be identified on the motor vehicle certificate of title.

Read first time and referred to committee on **transportation.**

Senate File 452, by committee on transportation, a bill for an act relating to certain vehicles, which deletes the requirement that a person transporting a mobile home provide a copy of a tax clearance statement to the state department of transportation, provides for an increase in the permit fees charged vehicles of excessive size and weight, increases the suspension period for violators, requires certain vehicles to carry a warning device, eliminates the length restriction of seventy feet for Iowa manufactured vehicles, and permits the department of transportation to require an escort for overdimensional vehicles.

Read first time and referred to committee on **transportation.**

Senate File 477, by committee on judiciary, a bill for an act relating to the liability of dog owners.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 478, by committee on judiciary, a bill for an act relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction.

Read first time and **passed on file.**

Senate File 498, by committee on judiciary, a bill for an act relating to the liability for a subrogation claim for medical care or expenses through a medical assistance program.

Read first time and referred to committee on **judiciary and law enforcement.**

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 31, 1983, 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 authorizing the board of supervisors to purchase blanket surety bonds for certain county officers and employees.

K. MARIE THAYER, Secretary

PRESENTATION OF MISS IOWA

Stueland of Clinton escorted to the Speaker's station and presented to the House Miss Iowa, Linda Simon from De Witt, Iowa. The daughter of Bob and Natalie Simon, Linda is a senior at the University of Iowa and participates in the university band as their "Golden Girl."

Miss Simon addressed the House briefly stating that it has been a great honor to be Miss Iowa and to represent Iowa in Atlantic City. She is grateful for the valuable scholarship money received which enabled her to continue her education. She will be passing the title on in June to the next Miss Iowa as well as graduating in May from the university although she may continue advanced education in computers. She thanked the members of the House for assuming the great responsibility of serving in the General Assembly.

The House rose and expressed its welcome.

REREFERRED TO COMMITTEE ON SMALL BUSINESS AND COMMERCE
(Senate File 223)

The Speaker announced that Senate File 223, presently on the regular calendar, was rereferred to the committee on **small business and commerce.**

REFERRED TO COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT
(Senate File 496)

The Speaker announced that Senate File 496, previously passed on file, was referred to the committee on **judiciary and law enforcement.**

REREFERRED TO COMMITTEE ON FINANCE
(Senate Files 14, 85 and 208)

The Speaker announced that Senate File 14, 85 and 208, all recommended do pass by the committee on ways and means at their meeting on April 5, 1983, were rereferred to the committee on **finance** under House Rule 33.

On motion by Norland of Worth, the House was recessed at 9:20 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lageschulte of Bremer, for a portion of the afternoon, on request of Pellett of Cass.

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 6, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 216, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 413, by committee on human resources, a bill for an act to prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition treated within the lawful scope of practice.

Read first time and referred to committee on **small business and commerce.**

Senate File 444, by committee on agriculture, a bill for an act relating to the practice of veterinary medicine.

Read first time and referred to committee on **agriculture.**

Senate File 448, by committee on education, a bill for an act relating to the issuance, termination, and requirements for teachers' contracts.

Read first time and referred to committee on **education.**

MOTION TO RECONSIDER PREVAILED
(House File 514)

Norland of Worth called up for consideration the motion to reconsider House File 514, filed on March 22, 1983, and moved to

reconsider the vote by which House File 514, a bill for an act amending the Iowa uniform securities Act, and providing a civil penalty, passed the House and was placed on its last reading on March 22, 1983.

A non-record roll call was requested.

The ayes were 83, nays 7.

The motion prevailed and the House reconsidered House File 514.

Chiodo of Polk offered the following amendment H–3528 filed by Chiodo, et al. :

H–3528

Amend House File 514 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. . Section 19A.3, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 22. The deputy administrator in charge of securities within the department of insurance as designated pursuant to section 502.601."

2. Page 3, by inserting before line 34 the following:

"Sec. . Section 502.209, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 6. a. Subsection 1, paragraphs e and h, shall not apply to the registration of an issue offered by a person whose principal place of business is in this state. However, the provisions of subsection 1, paragraph e relating to fraud shall apply to such persons.

b. The administrator may adopt rules to:

(1) Implement paragraph a and delineate the format and process to be used.

(2) Provide procedural safeguards, if the administrator finds these safeguards are necessary."

3. Page 6, by inserting after line 4 the following:

"Sec. . Section 502.601, subsection 1, Code 1983, is amended to read as follows:

1. ~~The provisions of this~~ This chapter shall be administered by the commissioner of insurance of the state of Iowa. The administrator shall appoint a deputy administrator who shall be ~~subject to~~ exempt from the merit system provided for in chapter 19A.

The deputy administrator shall be the principal operations officer of the securities department and shall be responsible to the administrator for the routine administration of the chapter and the management of the securities department. In the absence of the administrator, whether because of vacancy in the office, by reason of absence, physical disability or other cause, the deputy administrator shall be the acting administrator and shall, for the time being, have and exercise the authority conferred upon the administrator. The administrator may by order from time to time delegate to the deputy administrator any or all of the functions assigned to the administrator in this chapter. The administrator shall employ ~~such~~ officers, attorneys, accountants, and other employees as shall be needed for the administration of the chapter."

4. Page 6, by inserting after line 33 the following:

Page 2

"Sec. . Effective July 1, 1984, 510 Iowa administrative code, chapter 50 is repealed. The administrator shall adopt new rules pursuant to chapter 17A prior to the date of repeal."

5. Renumber as necessary.

Holveck of Polk offered the following amendment H—3533, to amendment H—3528, filed from the floor by Holveck, McKean, Chapman, Krewson and Rosenberg:

H—3533

Amend House amendment H—3528, to House File 514 as follows:

1. By striking page 1, line 2 through page 2, line 4 and inserting in lieu thereof the following:

" . Page 6, by inserting after line 33 the following:

"Sec. . The legislative council shall establish a study committee consisting of members of the house committee on small business and commerce and the senate committee on small business and economic development and both political parties for the purpose of studying the securities division of the department of insurance to determine whether the current merit review system of proposed registration of securities shall be modified or eliminated. The study committee shall make a report to the legislative council and

the general assembly meeting in the year 1984 containing its findings and recommendations. The report shall be accompanied by bill drafts designed to carry out the recommendations of the study committee." "

Arnould of Scott in the chair at 3:50 p.m.

Holveck of Polk moved the adoption of amendment H–3533, to amendment H–3528.

Roll call was requested by Holveck of Polk and Hammond of Story.

On the question "Shall amendment H–3533 be adopted?"

The ayes were, 28:

Anderson	Bennett	Buhr	Carl
Chapman	Clark	Cooper	Copenhaver
Doderer	Grandia	Gruhn	Hammond
Handorf	Haverland	Holveck	Jay
Krewson	Lloyd-Jones	Maulsby	McKean
Menke	Muhlbauer	Osterberg	Rosenberg
Stueland	Tofte	Van Camp	Varn

The nays were, 70:

Avenson	Baxter	Black	Blanshan
Brammer	Branstad	Carpenter	Carter
Chiodo	Cochran	Connolly	Connors
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. A.	Halvorson, R. N.
Hanson	Harbor	Hermann	Hoffmann-Bright
Hughes	Hummel	Jochum	Knapp
Koenigs	Lageschulte	Lonergan	McIntee
Miller	Norland	O'Kane	Ollie
Oxley	Parker	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Gerpen	Van Maanen	Welden	Woods
Zimmerman	Mr. Speaker (Arnould)		

Absent or not voting, 2:

Mullins Paulin

Amendment H—3533 lost.

Holveck of Polk offered the following amendment H—3537, to amendment H—3528, filed from the floor by Holveck, McKean, Chapman, Krewson and Rosenberg:

H—3537

Amend House amendment H—3528 to House File 514 as follows:

1. Page 1, by striking lines 2 through 8.
2. Page 1, by striking lines 24 through 48.
3. Renumber as necessary.

Holveck of Polk asked and received unanimous consent to defer action on amendment H—3537.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Paulin of Plymouth, for a portion of the afternoon, on request of Carpenter of Polk.

Holveck of Polk offered the following amendment H—3534, to amendment H—3528, filed from the floor by Holveck, McKean, Chapman, Krewson and Rosenberg and moved its adoption:

H—3534

Amend House amendment H—3528, to House File 514 as follows:

1. Page 1, by striking lines 9 through 23.
2. Renumber as necessary.

Roll call was requested by Holveck of Polk and Hammond of Story.

On the question "Shall amendment H—3534 be adopted?"

The ayes were, 24:

Buhr	Carl	Chapman	Clark
Cooper	Copenhaver	Doderer	Grandia
Gruhn	Hammond	Handorf	Haverland
Holveck	Jay	Krewson	Maulsby
McKean	Menke	Osterberg	Rosenberg
Stueland	Tofte	Van Camp	Varn

The nays were, 74:

Anderson	Avenson	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Carpenter	Chiodo	Cochran	Connolly
Connors	Corey	Daggett	Davitt
De Groot	Diemer	Fey	Fogarty
Groninga	Gronstal	Groth	Halvorson, R. A.
Halvorson, R. N.	Hanson	Harbor	Hermann
Hoffmann-Bright	Hughes	Hummel	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Miller	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Gerpen	Van Maanen	Welden	Woods
Zimmerman	Mr. Speaker (Arnould)		

Absent or not voting, 2:

Carter	Mullins

Amendment H—3534 lost.

Speaker Avenson in the chair at 4:26 p.m.

Holveck of Polk offered the following amendment H—3535, to amendment H—3528, filed from the floor by Holveck, McKean, Chapman, Krewson and Rosenberg:

H—3535

Amend House amendment H—3528, to House File 514 as follows:

1. Page 1, line 12, by striking the word

"subsection" and inserting in lieu thereof the word "subsections".

2. Page 1, by inserting after line 23 the following:

"NEW SUBSECTION. 7. If it is ultimately determined that subsection 6, exempting from merit review an issue by a person located and chartered or organized in this state is invalid, then all issuers whether located, chartered, or organized in this state or outside of this state shall be subject to merit review."

Chiodo of Polk rose on a point of order that amendment H—3535 was not germane.

The Speaker ruled the point not well taken and amendment H—3535 germane.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth on request of Carpenter of Polk.

Holveck of Polk moved the adoption of amendment H—3535, to amendment H—3528.

A non-record roll call was requested.

The ayes were 24, nays 54.

Amendment H—3535 lost.

Holveck of Polk offered the following amendment H—3536, to amendment H—3528, filed from the floor by Holveck, McKean, Chapman, Krewson and Rosenberg and moved its adoption:

H—3536

Amend House amendment H—3528 to House File 514 as follows:

1. Page 1, by striking lines 49 and 50.
2. Page 2, by striking lines 1 through 4.
3. Renumber as necessary.

A non-record roll call was requested.

The ayes were 20, nays 68.

Amendment H—3536 lost.

The House resumed consideration of amendment H—3537, to amendment H—3528.

Holveck of Polk moved the adoption of amendment H—3537, to amendment H—3528.

A non-record roll call was requested.

The ayes were 30, nays 64.

Amendment H—3537 lost.

Holveck of Polk rose on a point of order that amendment H—3528 was not germane.

The Speaker ruled the point well taken and amendment H—3528 not germane.

Norland of Worth asked for unanimous consent to suspend the rules to consider amendment H—3528.

Objection was raised.

Norland of Worth moved that the rules be suspended to consider amendment H—3528.

A non-record roll call was requested.

The ayes were 59, nays 36.

The motion prevailed and the rules were suspended to consider amendment H—3528.

Doderer of Johnson in the chair at 5:09 p.m.

Chiodo of Polk moved the adoption of amendment H—3528.

Roll call was requested by Holveck of Polk and Hammond of Story.

On the question "Shall amendment H—3528 be adopted?"

The ayes were, 73:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Branstad
Carpenter	Chiodo	Cochran	Connolly
Connors	Corey	Daggett	Davitt
De Groot	Diemer	Fey	Fogarty
Groninga	Gronstal	Groth	Halvorson, R. A.
Halvorson, R. N.	Hanson	Harbor	Hermann
Hoffmann-Bright	Hughes	Hummel	Jay
Jochum	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Miller	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman			

The nays were, 24:

Brammer	Buhr	Carl	Carter
Chapman	Clark	Cooper	Copenhaver
Grandia	Gruhn	Hammond	Handorf
Holveck	Knapp	Krewson	Maulsby
McKean	Menke	Osterberg	Rosenberg
Stueland	Tofte	Van Camp	Madam Speaker (Doderer)

Absent or not voting, 3:

Haverland	Mullins	Welden

Amendment H—3528 was adopted.

Speaker Avenson in the chair at 5:23 p.m.

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. 514)

The ayes were, 79:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Carl	Carpenter	Carter	Chiodo
Connolly	Connors	Cooper	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Halvorson, R. A.	Halvorson, R. N.
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Miller	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 18:

Buhr	Chapman	Clark	Copenhaver
Doderer	Gruhn	Hammond	Handorf
Knapp	Krewson	Maulsby	McKean
Menke	Osterberg	Rosenberg	Tofte
Van Camp	Welden		

Absent or not voting, 3:

Cochran	Haverland	Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES DEFERRED

Norland of Worth asked and received unanimous consent that House Files 191, 468 and 476 be deferred and that the bills retain their place on the calendar.

Unfinished Business Calendar

The House resumed consideration of **House File 529,** a bill for an act requiring local public agencies and state and local public safety

agencies to provide emergency telephone service, creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, deferred and placed on the unfinished business calendar on April 5, 1983.

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.

On the question "Shall the bill pass?" (H.F. 529)

The ayes were, 84:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Menke	Miller
Muhlbauer	Norland	O'Kane	Osterberg
Oxley	Parker	Pavich	Peick
Pellett	Poncy	Renaud	Rensink
Rosenberg	Running	Schnekloth	Sherzan
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 13:

Carpenter	Harbor	Hummel	Knapp
Maulsby	McKean	Paulin	Renken
Royer	Schroeder	Stromer	Swearingen
Welden			

Absent or not voting, 3:

Mullins	Ollie	Shoultz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 529)

Norland of Worth asked and received unanimous consent that House File 529 be immediately messaged to the Senate.

MOTION TO RECONSIDER TABLED
(House File 514)

Chiodo of Polk moved to reconsider the vote by which House File 514 passed the House on April 6, 1983 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 59, nays 36.

The motion to table prevailed, placing out of order the motion to reconsider House File 514 filed by Holveck of Polk from the floor.

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to notice and agenda, for a committee on state government meeting upon 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 members of the conference committee to Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax and other taxes, appointed April 6, 1983, are: The Senator from Polk, Senator Palmer, Chair; the Senator from Story, Senator Bruner; the Senator from Pottawattamie, Senator Hester; the Senator from Marshall, Senator Lura; and the Senator from Johnson, Senator Small.

K. MARIE THAYER, Secretary

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 288 (Reassigned) Ways and Means

Relating to the mandatory levy of taxes for payment of principal and interest on bonds and providing that the Act is retroactive.

S.B. 332 Ways and Means

Relating to business tax deductions for corporations for employer-paid child day care expenses.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 100, a bill for an act creating the Iowa advanced technology institute and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass as amended by appropriations committee amendment H—3519** April 6, 1983.

House File 574, a bill for an act relating to filing of an application for an exemption from the property tax for pollution-control equipment.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

House File 575, a bill for an act relating to the rate of interest assessed as a penalty for delinquent property taxes.

Fiscal Note is required.

Committee Action: **Failed to Pass** April 6, 1983.

Senate Concurrent Resolution 13, a Concurrent Resolution relating to regents' bonding for academic buildings.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate File 327, a bill for an act to provide for annual recommendations by the commission on compensation, salaries, and expenses of elected state officials.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 1983.

Senate File 371, a bill for an act relating to costs incurred for a mobile home space when the tenant abandons the mobile home.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 1983.

Senate Joint Resolution 9, a Joint Resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 1983.

COMMITTEE ON WAYS AND MEANS

Senate File 14, a bill for an act to exempt the state, its agencies, and political subdivisions of the state from the tax on motor fuel where the motor fuel is used for a public purpose and delivered into storage tanks owned or used exclusively by the state, its agencies, or a political subdivision of the state.

Fiscal Note is required.

Recommended **Do Pass** April 5, 1983.

Senate File 85, a bill for an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominantly rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax.

Fiscal Note is required.

Recommended **Do Pass** April 5, 1983.

Senate File 92, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse and dog races and racing meets imposing taxes and fees and providing for their use and disbursement, and

declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

Committee Action: **Failed to Pass** April 5, 1983.

Senate File 208, a bill for an act authorizing the issuance of industrial revenue bonds under chapter 419 for museums, libraries, and tourist information centers.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 1983.

Committee Bill (Formerly Study Bill 62), relating to the organization and functions of the department of revenue and the state board of tax review.

Fiscal Note is required,

Recommended **Amend and Do Pass** April 5, 1983.

AMENDMENTS FILED

H–3529	H.F. 206	Spear of Lee
H–3530	S.F. 474	Spear of Lee
H–3531	S.F. 496	Tabor of Jackson
H–3532	S.F. 485	Carl of Poweshiek Lloyd-Jones of Johnson
H–3538	H.F. 366	Carl of Poweshiek
H–3539	H.F. 575	Groninga of Cerro Gordo
H–3540	H.F. 608	Spear of Lee
H–3541	H.F. 608	Spear of Lee
H–3542	H.F. 613	Lonergan of Boone
H–3543	S.F. 470	Buhr of Polk
H–3544	H.F. 608	Spear of Lee
H–3545	H.F. 608	Spear of Lee
H–3546	H.F. 608	Spear of Lee
H–3547	H.F. 608	Spear of Lee
H–3548	H.F. 608	Spear of Lee
H–3549	H.F. 422	Tofte of Winneshiek Rosenberg of Story Osterberg of Linn
H–3550	H.F. 608	Spear of Lee
H–3551	S.F. 474	Corey of Louisa
H–3553	S.F. 431	Daggett of Taylor

H—3554	H.F. 490	Lloyd-Jones of Johnson Osterberg of Linn Hammond of Story Krewson of Polk Carpenter of Polk Holveck of Polk
H—3555	H.F. 422	Van Maanen of Mahaska
H—3556	S.F. 509	Schroeder of Pottawattamie
H—3557	H.F. 476	Running of Linn

On motion by Norland of Worth, the House adjourned at 5:36 p.m., until 9:30 a.m., Thursday, April 7, 1983.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day — Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 7, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Thomas Geelan, Principal of Kuemper High School, Carroll.

The Journal of Wednesday, April 6, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hennessey, Manilla.

SENATE MESSAGE CONSIDERED

Senate File 216, by Kinley, Mann and Gentleman, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter.

Read first time and referred to committee on **local 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 April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 314, a bill for an act relating to an exemption from the state sales, services, and use taxes for sales by trade shops to printers of lithographic-offset plates, photoengraved plates, engravings, negatives, color separations, typesetting, the end products of image modulation or any base materials used as carriers for light-sensitive emulsions, limiting the amount of refunds allowable under this Act, and making it retroactive.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 335, a bill for an act relating to the penalty for failure to file a state use tax return or to remit the state use tax.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 354, a bill for an act to eliminate the use of documentary stamps as evidence that the real estate transfer tax has been paid.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 404, a bill for an act to provide that buyers or sellers of property shall not be required to disclose or list their social security numbers on a declaration of value.

Also: That the Senate has on April 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 461, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation.

Also: That the Senate has on April 6, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

K. MARIE THAYER, Secretary

AMENDMENT WITHDRAWN
(Amendment H—3527 to House File 555)

Anderson of Audubon asked and received unanimous consent to withdraw amendment H—3527 to House File 555 filed by him and Van Gerpen of Black Hawk on April 5, 1983.

On motion by Norland of Worth, the House was recessed at 9:48 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chiodo of Polk, for April 7 and 8, 1983, on request of Norland of Worth.

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 7, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 500, a bill for an act relating to the inspection fees paid on commercial feeds.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 314, by committee on ways and means, a bill for an act relating to an exemption from the state sales, services, and use taxes for sales by trade shops to printers of lithographic-offset plates, photoengraved plates, engravings, negatives, color separations, typesetting, the end products of image modulation or any base materials used as carriers for light-sensitive emulsions, limiting the amount of refunds allowable under this Act, and making it retroactive.

Read first time and referred to committee on **ways and means.**

Senate File 335, by Rodgers, a bill for an act relating to the penalty for failure to file a state use tax return or to remit the state use tax.

Read first time and referred to committee on **ways and means.**

Senate File 354, by committee on ways and means, a bill for an act to eliminate the use of documentary stamps as evidence that the real estate transfer tax has been paid.

Read first time and referred to committee on **ways and means.**

Senate File 404, by Rodgers, a bill for an act to provide that buyers or sellers of property shall not be required to disclose or list their social security numbers on a declaration of value.

Read first time and referred to committee on **ways and means.**

Senate File 461, by committee on ways and means, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation.

Read first time and referred to committee on **ways and means.**

Senate File 495, by committee on judiciary, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 500, by committee on agriculture, a bill for an act relating to the rate of inspection fees paid on commercial feeds.

Read first time and referred to committee on **agriculture.**

SENATE AMENDMENT CONSIDERED

Arnould of Scott called up for consideration **House File 196,** a bill for an act relating to health care by providing for the creation of a health data commission, its purposes, membership, powers, duties, and other related areas, by permitting a hospital service corporation to contract with an ambulatory surgical facility for surgical services, by permitting contracts between hospitals and radiologists and pathologists, by amending the membership of the board of directors of nonprofit hospital service corporations, nonprofit medical service corporations, and nonprofit pharmaceutical or optometric service corporations, and by providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H–3517:

H–3517

Amend House File 196 as amended, passed and reprinted by the House as follows:

1. Page 2, lines 33 and 34, by striking the words "act as a research tool for the commission" and inserting in lieu thereof the words "provide staff".

2. Page 3, line 7, by inserting after the figure "2." the letter "a.".

3. Page 3, line 12, by striking the word "or"

and inserting in lieu thereof the word "and".

4. Page 3, by inserting after line 13 the following:

"b. The data collected by and furnished to the commission pursuant to this section shall not be public records under chapter 68A. The compilations prepared for release or dissemination from the data collected shall be public records under chapter 68A, which are not subject to section 68A.7, subsection 2, to the extent provided in section 4 of this Act. The confidentiality of patients is to be protected and the laws of this state in regard to patient confidentiality apply, except to the extent provided in section 4 of this Act."

5. Page 3, line 18, by striking the words "that they".

6. Page 3, line 21, by inserting after the word "established" the words "by the commission".

7. Page 3, line 22, by inserting after the word "that" the word "all".

8. Page 3, line 23, by inserting after the word "payers" the words ", including but not limited to licensed insurers, medical and hospital service corporations, health maintenance organizations, and self-funded employee health plans,".

9. Page 3, line 24, by inserting after the word "commission" the words and figure "pursuant to section 9 of this Act".

10. Page 3, by striking lines 30 and 31 and inserting in lieu thereof the words and figures "identification number. Prior to July 1, 1984, the commissioner of insurance may".

11. Page 3, lines 33 and 34, by striking the word "penetration," and inserting in lieu thereof the word "penetration;".

12. Page 3, line 34, by striking the word "procedures" and inserting in lieu thereof the word "procedures;".

13. Page 4, line 1, by striking the word "Comparative" and inserting in lieu thereof the words "The corporation, association, or other entity providing research for the commission shall compile

Page 2

and disseminate comparative".

14. Page 4, line 4, by striking the words "shall be compiled and disseminated".

15. Page 4, line 20, by inserting after the word "commission" the words "or the members of the commission".

16. Page 4, line 22, by striking the words "where practicable" and inserting in lieu thereof the words "when requested".

17. Page 4, line 24, by striking the words "mechanism that creates" and inserting in lieu thereof the words "system which creates the use of".

18. Page 4, lines 32 and 33, by striking the words "Patient confidentiality shall be protected."

19. Page 5, line 14, by inserting after the word "and" the words "as enumerated by the commission,".

20. Page 5, line 16, by inserting after the word "prescriptions." the words "In addition to the posting of the notification, the hospital shall post in each facility next to the notification, the established charges for routine daily room service, special care daily room service, delivery room service, operating room service, and emergency room service."

21. Page 5, lines 21 and 22, by striking the words "LAWFULNESS OF PROVIDING DATA—CONFIDENTIALITY" and inserting in lieu thereof the words "CONFIDENTIAL INFORMATION AND RECORDS".

22. Page 5, line 26, by striking the word "For" and inserting in lieu thereof the word "From".

23. Page 5, line 29, by striking the word "For" and inserting in lieu thereof the word "From".

24. Page 5, line 31, by striking the word "For" and inserting in lieu thereof the word "From".

25. Page 5, lines 32 and 33, by striking the words "acting as the commission's research tool" and inserting in lieu thereof the words "providing research for the commission".

26. Page 5, line 34, by striking the word "For" and inserting in lieu thereof the word "From".

27. Page 6, by inserting after line 7 the following:

"A person shall not be civilly liable as a result of the person's acts, omissions, or decisions as a member of the commission or as an employee or agent in connection with the person's duties for the commission."

28. Page 7, by inserting after line 9 the following:

"Sec. . Section 135B.28, Code 1983, is amended by adding the following new unnumbered paragraph:

Page 3

NEW UNNUMBERED PARAGRAPH. Upon the effective date of regulations which may be adopted by the United States department of health and human services prohibiting combined billing by hospitals and hospital-

based physicians under Title XVIII of the federal Social Security Act, the charges for all pathology and radiology services in a hospital, may upon the mutual agreement of the hospital, physician and third party payer, be billed separately, the hospital component of the charges being included in the hospital bill and the doctor component being billed by the doctor."

29. Page 8, line 35, by striking the words "of that corporation".

30. Page 9, line 11, by inserting after the word "person." the words "A subscriber director of a hospital or medical service corporation shall be a subscriber of the services of that corporation."

31. Page 9, line 13, by inserting after the word "has" the words "a material financial interest in or is a fiduciary to or an employee of or is a spouse or member of the immediate family of a provider having".

32. Page 9, line 15, by inserting after the word "corporation" the words "or who is a hospital trustee".

33. Page 9, by inserting after line 15 the following:

"A director may serve on a board of only one corporation at a time subject to this chapter."

34. Page 9, by striking lines 17 through 22 and inserting in lieu thereof the words and figure "to chapter 17A to implement the process of the election of subscriber directors of the board of directors of a corporation to ensure the representation of a broad spectrum of subscriber interest on each board. The rules shall provide for an independent subscriber nominating committee to serve until the composition of the board of directors meets the percentage requirements of this section. Once the composition requirements of this section are met, the nominations for subscriber directors shall be made by the subscriber directors of the board. A member of the board of directors of a corporation subject to this chapter shall not serve on the independent subscriber nominating committee. The nominating committee shall consist of subscribers as defined".

35. Page 9, line 23, by inserting after the word "section" the words "and procedures to permit nomination by a petition of at least fifty subscribers or providers".

Page 4

36. Page 9, by inserting after line 23 the following:

"Population factors, representation of different geographic regions, and the demography of the service area of the corporation subject to this chapter shall be considered when making nominations for the board of directors of a corporation subject to this chapter.

A corporation shall not reimburse or compensate a provider director or a subscriber director more than forty dollars per diem plus necessary and actual expenses for attendance at a meeting of the board of directors."

37. Page 10, by inserting after line 8 the following:

"Sec. . NEW SECTION. 514.19. COMBINED SERVICE CORPORATIONS. A corporation subject to this chapter may combine with any other corporation subject to this chapter as permitted under chapter 504A and upon the approval by the commissioner of insurance. Each corporation shall comply with chapter 504A, the corporation's articles of incorporation, and the corporation's bylaws. The combined service corporation shall continue the service benefits previously provided by each corporation and may, subject to the approval of the commissioner of insurance, offer other service benefits not previously provided by the corporations before combining, which are permitted under chapter 514."

38. Page 10, line 9, by inserting after the word "Act" the words and figures "takes effect August 1, 1983 and".

39. Page 10, line 18, by inserting after the figure "1985." the words and figures "Provider directors serving on the effective date of this Act may complete their terms of office so long as at least a majority of the board is subscribers by August 1, 1984 and at least two-thirds of the board are subscribers by August 1, 1985. Such director shall not serve a term of more than three years or shall serve the remainder of the term being served, whichever is shorter. Only subscriber directors elected pursuant to the rules adopted by the commissioner of insurance pursuant to section 11 of this Act shall be considered in meeting the percentage requirements of the board composition required in this section."

40. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3517.

Arnould of Scott moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed

upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 196)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Chiodo	Doderer	Harbor	Peick
Tofte			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULE 35 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 35, regarding the weekly debate calendar, for the immediate consideration of House File 606.

Regular Calendar

House File 606, a bill for an act permitting or requiring a corporation to indemnify a director, officer, employee, or agent of the corporation for judgments, penalties, fines, settlements, and reasonable expenses actually incurred as a defendant or respondent in an administrative or court proceeding, was taken up for consideration.

Holveck 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. 606)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Chiodo	Davitt	Doderer	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 606)

Norland of Worth asked and received unanimous consent that House File 606 be immediately messaged to the Senate.

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to committee notice and agenda, for a committee on agriculture meeting on Friday, April 8, 1983 at 8:00 a.m.

SPONSOR ADDED
(Amendment H—3549 to House File 422)

Holveck of Polk requested to be added as a sponsor of amendment H—3549 to House File 422.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-one eighth grade students from Amos Hiatt Junior High School, Des Moines, accompanied by Jane Hildenbrand, Bob Reinap and Sue Godlove. By Sherzan and Connors of Polk.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Senate File 345, a bill for an act authorizing specified professionals to dispense and issue prescription drugs and controlled substances and to delegate nonjudgmental dispensing functions and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3559** April 6, 1983.

Senate File 464, a bill for an act relating to the creation of the Iowa department of corrections, prescribing its powers and duties, appropriating moneys, and providing penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3558** April 6, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 325, a bill for an act relating to the service of notices terminating real estate tenancies.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3563** April 6, 1983.

Senate File 336, a bill for an act regulating the activities of loan brokers and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

Senate File 349, a bill for an act relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3568** April 6, 1983.

Senate File 359, a bill for an act relating to the office or individual charged with supervision of an offender and the preparation of a restitution plan of payment as a condition of probation, work release, or parole.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 138, a bill for an act relating to the annual salary of the deputy clerks of the district court in a county having two locations at which the district court is held.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

Senate File 159, a bill for an act authorizing the establishment and maintenance of an emergency warning system within townships.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3564** April 6, 1983.

COMMITTEE ON NATURAL RESOURCES

Senate File 267, a bill for an act relating to the rule-making authority of the water, air and waste management commission and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

Senate File 368, a bill for an act relating to the powers and duties of the department of water, air and waste management.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3562** April 6, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Senate File 225, a bill for an act to require the metering, inspection and testing, sealing, and licensing of pumps used to dispense liquefied petroleum gas.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

Senate File 401, a bill for an act relating to the confidentiality of financial statements of grain dealers and warehousemen.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

Senate File 471, a bill for an act requiring the comptroller to adopt rules specifying the form and contents for invoices submitted by vendors to the state.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3565** April 6, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate File 73, a bill for an act requiring the Iowa beer and liquor control department to hold a local public hearing when a state liquor store is established or discontinued.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

Senate File 457, a bill for an act relating to the campaign finance disclosure commission.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3561** April 6, 1983.

Senate File 474, a bill for an act relating to the practice of chiropractic.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3560** April 6, 1983.

COMMITTEE ON TRANSPORTATION

Senate File 202, a bill for an act relating to the coordination of public and private transportation programs and providing pilot projects.

Fiscal Note is required.

Recommended **Do Pass** April 6, 1983.

Senate File 303, a bill for an act requiring nonresidents to register certain vehicles operated by residents and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1983.

AMENDMENTS FILED

H—3558	S.F. 464	Committee on Human Resources
H—3559	S.F. 345	Committee on Human Resources
H—3560	S.F. 474	Committee on State Government
H—3561	S.F. 457	Committee on State Government
H—3562	S.F. 368	Committee on Natural Resources
H—3563	S.F. 325	Committee on Judiciary and Law Enforcement

H—3564	S.F. 159	Committee on Local Government
H—3565	S.F. 471	Committee on Small Business and Commerce
H—3566	H.F. 608	Spear of Lee
H—3567	S.F. 368	Welden of Hardin
H—3568	S.F. 349	Committee on Judiciary and Law Enforcement
H—3569	S.F. 358	Rosenberg of Story
H—3570	S.F. 431	Zimmerman of Dallas
H—3571	S.F. 420	Spear of Lee
H—3572	S.F. 431	Daggett of Taylor
H—3573	S.F. 380	Lloyd-Jones of Johnson Osterberg of Linn Hammond of Story Krewson of Polk Carpenter of Polk Holveck of Polk

On motion by Norland of Worth, the House adjourned at 4:58 p.m., until 9:00 a.m., Friday, April 8, 1983.

JOURNAL OF THE HOUSE

Eighty-ninth Calendar Day—Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 8, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Michael Tauke, pastor of St. Joseph's Catholic Church, New Hampton.

The Journal of Thursday, April 7, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

McKean of Jones on request of Krewson of Polk; Lageschulte of Bremer on request of Pellett of Cass; Carl of Poweshiek, for a portion of the day, on request of Zimmerman of Dallas; Oxley of Linn on request of Cochran of Webster.

The House stood at ease at 9:16 a.m., until the fall of the gavel.

The House resumed session at 10:08 a.m., Speaker Avenson in the chair.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 17

Davitt of Warren called up for consideration House Concurrent Resolution 17, opposing federal legislation that would promote coal slurry pipelines, filed on March 14, 1983 and found on page 729 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 16

Shoultz of Black Hawk called up for consideration House Concurrent Resolution 16, designating the American library association's symbol for libraries as the official symbol of the state of Iowa for libraries, filed on March 2, 1983 and found on page 553 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Regular Calendar

SENATE FILE 188 SUBSTITUTED FOR HOUSE FILE 191

Norland of Worth asked and received unanimous consent to substitute Senate File 188 for House File 191.

Senate File 188, a bill for an act relating to the birth defects institute within the state department of health, was taken up for consideration.

Zimmerman 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?" (S.F. 188)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	Menke	Miller
Mullins	Norland	O'Kane	Osterberg
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Carl	Chiodo	Connolly	Groth
Lageschulte	McKean	Muhlbauer	Ollie
Oxley	Sherzan		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 29 AND 191 WITHDRAWN

Shoultz of Black Hawk asked and received unanimous consent to withdraw House Files 29 and 191 from further consideration by the House.

SENATE FILE 509 SUBSTITUTED FOR HOUSE FILE 468

Cochran of Webster asked and received unanimous consent to substitute Senate File 509 for House File 468.

Senate File 509, a bill for an act relating to the collection of the Iowa corn and soybeans assessment at the time corn and soybeans are pledged to secure a loan extended under a federal price support loan program, was taken up for consideration.

Spear of Lee asked and received unanimous consent to temporarily defer action on amendment H–3520 filed by him.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H–3556 filed by him on April 6, 1983.

Spear of Lee offered the following amendment H–3520 filed by him and moved its adoption:

H–3520

Amend Senate File 509 as passed by the Senate as follows:

1. Page 1, by striking line 17 and inserting in lieu thereof the following: "loan program. For the purposes of this chapter actual delivery of the soybeans also occurs when".

2. Page 2, by striking line 3 and inserting in lieu thereof the following: "loan program. For the purposes of this chapter actual delivery of the corn also occurs when the".

Amendment H—3520 lost.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 509)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Koenigs
Krewson	Lloyd-Jones	Lonergan	Maulsby
McIntee	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Osterberg
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Carl	Chiodo	Connolly	Groth
Knapp	Lageschulte	McKean	Ollie
Oxley			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 431 SUBSTITUTED FOR HOUSE FILE 476

Copenhaver of Buchanan asked and received unanimous consent to substitute Senate File 431 for House File 476.

Senate File 431, a bill for an act relating to the Iowa commission on the aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging, was taken up for consideration.

Copenhaver of Buchanan offered amendment H–3470 filed by him. Division was requested as follows:

H–3470

Amend Senate File 431 as amended, passed and reprinted by the Senate, as follows:

H–3470A

1. Page 3, by striking lines 6 through 11 and inserting in lieu thereof the following: "subsection 4 and the services each facility may render. The commission shall coordinate the development of any rules with other state agencies."

H–3470B

2. Page 3, by striking lines 18 through 22 and inserting in lieu thereof the following: "designee. Recommendations to the executive director or the director's designee for membership on care review committees are encouraged from any agency, organization, or individual."

Stromer of Hancock asked and received unanimous consent to temporarily defer action on Senate File 431.

(Amendment H–3470A pending.)

SENATE FILE 453 SUBSTITUTED FOR HOUSE FILE 603

Woods of Polk asked and received unanimous consent to substitute Senate File 453 for House File 603.

Senate File 453, a bill for an act relating to the staggered registration of vehicles, was taken up for consideration.

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. 453)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Osterberg	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Carl	Chiodo	Connolly	Groth
Lageschulte	McKean	Ollie	Oxley

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 402 SUBSTITUTED FOR HOUSE FILE 502

Zimmerman of Dallas asked and received unanimous consent to substitute Senate File 402 for House File 502.

Senate File 402, a bill for an act to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license, was taken up for consideration.

Zimmerman of Dallas offered the following amendment H—3412 filed by Zimmerman, et al. :

H–3412

Amend Senate File 402 as follows:

1. Page 1, line 6, by striking the words "two hundred fifty" and inserting in lieu thereof the words "~~two hundred fifty~~ five hundred".

Koenigs of Mitchell rose on a point of order that amendment H–3412 was not germane.

The Speaker ruled the point well taken and amendment H–3412 not germane.

Norland of Worth asked and received unanimous consent that Senate File 402 be deferred and placed on the calendar under unfinished business.

SENATE FILE 433 SUBSTITUTED FOR HOUSE FILE 510

Varn of Johnson asked and received unanimous consent to substitute Senate File 433 for House File 510.

Senate File 433, a bill for an act relating to the rule against perpetuities, was taken up for consideration.

Varn 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. 433)

The ayes were, 89:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	Maulsby	McIntee
Menke	Miller	Muhlbauer	Mullins

Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 4:

Grandia	Handorf	Hummel	Renken

Absent or not voting, 7:

Carl	Chiodo	Haverland	Lageschulte
McKean	Oxley	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 434 SUBSTITUTED FOR HOUSE FILE 516

Halvorson of Webster asked and received unanimous consent to substitute Senate File 434 for House File 516.

Senate File 434, a bill for an act relating to funds deposited by city utilities and combined utility systems and regional libraries, and providing an effective date upon publication, was taken up for consideration.

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.

On the question "Shall the bill pass?" (S.F. 434)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey

Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	Maulsby	McIntee	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Carl	Chiodo	Connolly	Lageschulte
McKean	Oxley		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 366 DEFERRED

Norland of Worth asked and received unanimous consent that House File 366 be deferred and that the bill retain its place on the calendar.

SENATE FILE 450 SUBSTITUTED FOR HOUSE FILE 604

Pellett of Cass asked and received unanimous consent to substitute Senate File 450 for House File 604.

Senate File 450, a bill for an act relating to the registration fees for class "A" motor homes, 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?" (S.F. 450)

The ayes were, 51:

Anderson	Bennett	Branstad	Carpenter
Clark	Cochran	Corey	Daggett
Davitt	De Groot	Doderer	Fogarty
Grandia	Halvorson, R. A.	Haverland	Hermann
Hoffmann-Bright	Jay	Jochum	Knapp
Koenigs	Lonergan	Maulsby	Menke
Miller	Muhlbauer	Mullins	Norland
Ollie	Pavich	Peick	Pellett
Renaud	Rensink	Rosenberg	Royer
Schnekloth	Schroeder	Shoultz	Spear
Stromer	Stueland	Sullivan	Swartz
Tabor	Tofte	Torrence	Van Gerpen
Van Maanen	Varn	Woods	

The nays were, 43:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carter	Chapman
Connolly	Connors	Cooper	Copenhaver
Diemer	Fey	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Handorf	Hanson	Holveck	Hughes
Hummel	Krewson	Lloyd-Jones	McIntee
O'Kane	Osterberg	Parker	Paulin
Poncy	Renken	Running	Sherzan
Skow	Sturgeon	Swearingen	Van Camp
Welden	Zimmerman	Mr. Speaker	

Absent or not voting, 6:

Carl	Chiodo	Harbor	Lageschulte
McKean	Oxley		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 380 SUBSTITUTED FOR HOUSE FILE 490

Osterberg of Linn asked and received unanimous consent to substitute Senate File 380 for House File 490.

Senate File 380, a bill for an act relating to projects for which industrial revenue bonds may be issued by a city or county, was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 380 be deferred and placed on the calendar under unfinished business.

SENATE FILE 379 SUBSTITUTED FOR HOUSE FILE 588

Pavich of Pottawattamie asked and received unanimous consent to substitute Senate File 379 for House File 588.

Senate File 379, a bill for an act relating to the motor vehicle code by extending the time period under which a vehicle may be operated under a "registration applied for" card, by extending the time period under which a dealer may file an application for registration and certificate of title, and by allowing a dealer under certain circumstances to display for sale a motor vehicle without first having obtained a certificate of title, was taken up for consideration.

Pavich 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. 379)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Blanshan	Carl	Chiodo	Haverland
Lageschulte	McKean	Oxley	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULE 35 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 35, regarding the weekly debate calendar, on House File 612.

SENATE FILE 478 SUBSTITUTED FOR HOUSE FILE 612

Miller of Woodbury asked and received unanimous consent to substitute Senate File 478 for House File 612.

Senate File 478, a bill for an act relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction, was taken up for consideration.

Chapman of Linn in the chair at 11:49 a.m.

Norland of Worth asked and received unanimous consent that Senate File 478 be deferred and placed on the calendar under unfinished business.

SENATE FILE 358 SUBSTITUTED FOR HOUSE FILE 231

Rosenberg of Story asked and received unanimous consent to substitute Senate File 358 for House File 231.

Senate File 358, a bill for an act relating to the release of defendants and conditions required for bail, was taken up for consideration.

Rosenberg of Story offered the following amendment H–3569 filed by him and moved its adoption:

H–3569

Amend Senate File 358 as follows:

1. Page 1, line 11, by adding after the word "persons." the following: "In making the personal safety determination, the magistrate must first find that the defendant has previously been released and that either the defendant has committed a criminal offense since that release, or the defendant has violated conditions of the prior release."

2. Page 1, line 11, by adding after the word "persons." the following: "Prior to making the appearance determination, the magistrate must also find that there is no additional nonmonetary condition or conditions which will reasonably assure the defendant's appearance as required."

A non-record roll call was requested.

The ayes were 41, nays 48.

Amendment H–3569 lost.

Speaker Avenson in the chair at 12:16 p.m.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 358)

The ayes were, 84:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Lonergan
Maulsby	McIntee	Menke	Miller
Muhlbauer	Mullins	Norland	Ollie
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken

Rensink	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 11:

Black	Fey	Hammond	Haverland
Holveck	Lloyd-Jones	O'Kane	Osterberg
Rosenberg	Tofte	Van Camp	

Absent or not voting, 5:

Chiodo	Krewson	Lageschulte	McKean
Oxley			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 516 WITHDRAWN

Halvorson of Webster asked and received unanimous consent to withdraw House File 516 from further consideration by the House.

SENATE FILE 420 SUBSTITUTED FOR HOUSE FILE 515

Gronstal of Pottawattamie asked and received unanimous consent to substitute Senate File 420 for House File 515.

Norland of Worth asked and received unanimous consent that Senate File 420 be deferred and placed on the calendar under unfinished business.

HOUSE FILES 588, 603 AND 604 WITHDRAWN

Woods of Polk asked and received unanimous consent to withdraw House Files 588, 603 and 604 from further consideration by the House.

HOUSE FILE 510 WITHDRAWN

Jay of Appanoose asked and received unanimous consent to withdraw House File 510 from further consideration by the House.

SENATE FILE 463 SUBSTITUTED FOR HOUSE FILE 522

Zimmerman of Dallas asked and received unanimous consent to substitute Senate File 463 for House File 522.

Senate File 463, a bill for an act permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous and disturbing behavior, was taken up for consideration.

Zimmerman of Dallas offered the following amendment H–3526 filed by her and Fey of Scott and moved its adoption:

H–3526

Amend Senate File 463 as passed by the House, as follows:

1. Page 1, line 19, by inserting after the word "program" the words "which has received prior approval from the department".

2. Page 1, line 21, by striking the word "not".

3. Page 1, lines 21 and 22, by striking the words "a history of".

4. Page 1, by striking lines 24 through 26 and inserting in lieu thereof the words "cannot control the resident's dangerous or disturbing behavior. The department, in coordination with the".

Amendment H–3526 was adopted.

Clark of Cerro Gordo asked and received unanimous consent to withdraw amendment H–3469 filed by her on March 30, 1983.

Zimmerman 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?" (S.F. 463)

The ayes were, 85:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Davitt

Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	McIntee	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Royer	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 10:

Carter	Daggett	De Groot	Lonergan
Maulsby	Menke	Rensink	Rosenberg
Schnekloth	Van Maanen		

Absent or not voting, 5:

Chiodo	Groth	Lageschulte	McKean
Oxley			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

The House resumed consideration of **Senate File 478**, a bill for an act relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction, previously deferred and placed on the unfinished business calendar.

Miller 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. 478)

The ayes were, 60:

Bennett	Black	Blanshan	Branstad
Carl	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	Diemer
Groninga	Gronstal	Groth	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Koenigs
Maulsby	McIntee	Miller	Mullins
Norland	Parker	Paulin	Poncy
Renaud	Rensink	Rosenberg	Schnekloth
Shoultz	Skow	Spear	Stromer
Sullivan	Swartz	Swearingen	Tabor
Tofte	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 35:

Anderson	Arnould	Baxter	Brammer
Buhr	Carpenter	Clark	De Groot
Doderer	Fey	Fogarty	Grandia
Gruhn	Harbor	Hummel	Krewson
Lloyd-Jones	Lonergan	Menke	Muhlbauer
O'Kane	Ollie	Osterberg	Pavich
Peick	Pellett	Renken	Royer
Running	Schroeder	Sherzan	Stueland
Sturgeon	Torrence	Van Camp	

Absent or not voting, 5:

Chiodo	Knapp	Lageschulte	McKean
Oxley			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 366, a bill for an act requiring director districts of certain school districts, area education agencies, and merged areas to be redistricted following each federal decennial census, with report of committee recommending passage was taken up for consideration.

Carl of Poweshiek offered the following amendment H–3538 filed by her and moved its adoption:

H–3538

Amend House File 366 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. NEW SECTION. 275.23A REDISTRICTING FOLLOWING FEDERAL DECENNIAL CENSUS.

1. School districts which have directors who represent director districts as provided in section 275.12, subsection 2, paragraphs b through e, shall be divided into director districts on the basis of population as determined from the most recent federal decennial census. The director districts shall be as nearly equal as practicable to the ideal population for the districts as determined by dividing the number of director districts to be established into the population of the school district. The director districts shall be composed of contiguous territory as compact as practicable.

2. If following a federal decennial census a school district fails to meet population equality requirements, the board of directors of the school district shall adopt a resolution redrawing the director districts not earlier than November 15 of the year immediately following the year in which the federal decennial census is taken nor later than May 30 of the second year immediately following the year in which the federal decennial census is taken. A copy of the adopted plan shall be filed with the area education agency administrator of the area education agency in which the greatest number of the school's electors reside.

3. The school board shall notify the state commissioner of elections and the county commissioner of elections of each county in which a portion of the school district is located whenever the boundaries of director districts are changed. The board shall provide the commissioners with maps showing the new boundaries. If, following a federal decennial census a school district elects not to redraw director districts under this section, the school board shall so certify to the state commissioner of elections, and the school board shall also certify to the state commissioner the populations of the retained director districts as determined under the latest federal decennial census. Upon failure of a district board to make the required changes by the dates established under this section, the state commissioner of elections shall make or cause to be made the necessary changes as soon as possible, and shall assess any expenses incurred to the school district. The state commissioner may request the services of personnel

Page 2

of and materials available to the legislative service bureau to assist the commissioner in making any required boundary changes.

4. The boundary changes under this section take effect July 1 following their adoption for the next regular school election.

5. Section 275.9 and sections 275.14 through 275.23 do not apply to changes in director district boundaries made under this section.

Sec. 2. In order to allow for the implementation of section 275.23A created under this Act, the school boards for school districts which do not comply with section 275.23A, subsection 1 shall adopt a resolution redrawing the school's director districts not later than May 30 of the year following the year in which this Act takes effect."

2. Amend the title, by striking lines 2 through 4 and inserting in lieu thereof the following: "districts to be redistricted following each decennial census as necessary to reflect population changes within the districts."

Amendment H—3538 was adopted.

SENATE FILE 485 SUBSTITUTED FOR HOUSE FILE 366

Carl of Poweshiek asked and received unanimous consent to substitute Senate File 485 for House File 366.

Senate File 485, a bill for an act requiring director districts of certain school districts to be redistricted following each federal decennial census as necessary to reflect population changes within the districts, was taken up for consideration.

Carl of Poweshiek offered the following amendment H—3532 filed by her and Lloyd-Jones of Johnson and moved its adoption:

H—3532

Amend Senate File 485 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 39.24, Code 1983, is amended to read as follows:

39.24 SCHOOL OFFICERS. Members of boards of

directors of community and independent school districts, and boards of directors of merged areas shall be elected at the school election. Their ~~respective~~ terms of office shall be three years, except as otherwise provided by section 275.23A or 280A.11.

Sec. 2. Section 49.8, subsection 4, Code 1983, is amended to read as follows:

4. When the boundaries of ~~any~~ a county supervisor, city council, or school director district, or any other district from which one or more members of any public representative body other than the general assembly are elected by the voters thereof, are changed by annexation, reprecincting or other means, the change shall not result in the term of any officer elected from the former district being terminated before or extended beyond the expiration of the term to which the officer was last elected, except as provided under section 275.23A."

2. Page 1, line 23, by striking the words "greatest number of the".

3. Page 2, by inserting after line 8 the following:

" . If more than one incumbent director, whose term extends beyond the organizational meeting of the board of directors after the regular school election following the adoption of the redrawn districts, reside in a redrawn director district, the terms of office of the affected directors expire at the organizational meeting of the board of directors following the next regular school election."

4. Renumber sections and subsections as necessary.

Amendment H—3532 was adopted.

Carl of Poweshiek moved that the bill be read a last time 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. 485)

The ayes were, 84:

Anderson	Arnould	Baxter	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn

Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	McIntee	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 12:

Bennett	Corey	Daggett	Grandia
Handorf	Maulsby	Menke	Pellett
Renken	Schroeder	Van Maanen	Welden

Absent or not voting, 4:

Chiodo	Lageschulte	McKean	Oxley

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 **Senate File 431,** a bill for an act relating to the Iowa commission on the aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging, and amendment H–3470A previously deferred.

Krewson of Polk offered amendment H–3580, to amendment H–3470, filed by him and Copenhaver of Buchanan from the floor and requested division as follows:

H–3580

Amend amendment H–3470 to Senate File 431 as amended, passed and reprinted by the Senate as follows:

H–3580A

1. Page 1, by striking lines 3 through 7 and inserting in lieu thereof the following:

"1. Page 3, line 11, by adding the following after the word "disabled.": "The commission shall coordinate the development of any rules with other state agencies."

H—3580B

2. Page 1, by striking lines 8 through 13 and inserting in lieu thereof the following:

"2. Page 3, line 22, by adding after the word "appointments." the following: "Recommendations to the executive director or the director's designee for membership on care review committees are encouraged from any agency, organization, or individual."

Sturgeon of Woodbury in the chair at 12:55 p.m.

Krewson of Polk moved the adoption of amendment H—3580A, to amendment H—3470A.

Amendment H—3580A was adopted.

On motion by Copenhaver of Buchanan amendment H—3470A, as amended, was adopted.

Daggett of Taylor asked and received unanimous consent to defer action on amendments H—3553 and H—3572 for the consideration of amendment H—3504.

Daggett of Taylor asked and received unanimous consent to withdraw amendment H—3504 filed by him and Zimmerman of Dallas on March 31, 1983, placing out of order amendment H—3570, to amendment H—3504, filed by Zimmerman of Dallas on April 7, 1983.

Daggett of Taylor offered the following amendment H—3553 filed by him and moved its adoption:

H—3553

Amend Senate File 431 as amended, passed and reprinted by the Senate as follows:

1. Page 3, lines 17 and 18, by striking the words "or the director's designee".

A non-record roll call was requested.

The ayes were 25, nays 65.

Amendment H—3553 lost.

Daggett of Taylor offered the following amendment H–3572 filed by him and moved its adoption:

H–3572

Amend Senate File 431 as amended, passed and reprinted by the Senate, as follows:

1. Page 3, line 18, by inserting before the word "The" the following: "A person shall not be appointed a member of a care review committee for a health care facility unless the person is a resident of the service area where the facility is located."

Amendment H–3572 was adopted.

The House resumed consideration of amendment H–3470B and amendment H–3580B (to amendment H–3470B).

On motion by Krewson of Polk, amendment H–3580B, to amendment H–3470B, was adopted.

On motion by Copenhaver of Buchanan, amendment H–3470B, as amended, was adopted.

Speaker Avenson in the chair at 1:20 p.m.

Copenhaver 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. 431)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	Maulsby

McIntee	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Chiodo	Lageschulte	McKean	Oxley

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 96, a bill for an act repealing Iowa's guest statute, with report of committee recommending passage was taken up for consideration.

Lloyd-Jones of Johnson asked and received unanimous consent to defer action on amendment H–3240.

Lloyd-Jones of Johnson offered the following amendment H–3254 filed by her:

H–3254

Amend Senate File 96 as passed by the Senate, as follows:

1. Page 1, by inserting before line 1 the following:

"Section 101. NEW SECTION. 321.446 CHILD RESTRAINT DEVICES.

1. A child under two years of age who is being transported in an automobile shall be secured in a child restaint system which meets federal motor vehicle safety standards and the system shall be used in accordance with the manufacturer's instructions.

2. A child at least two years of age but under five years of age who is being transported in a car or pickup shall be secured by either a child restraint system that meets federal motor vehicle safety

standards and used in accordance with the manufacturer's instructions or by a safety belt of a type required and approved under section 321.445.

3. This section does not apply to nonresidents of Iowa or to peace officers acting on official duty. This section also does not apply to the transportation of children in vehicles which are not required under section 321.445 to have safety belts.

4. The operator of a motor vehicle who fails to comply with this section shall, upon conviction, be guilty of a misdemeanor and is subject to the penalty provisions of section 106 of this Act.

5. A person who is first charged for a violation of this section shall not be convicted if the person produces in court, within a reasonable time, proof that the person has purchased or otherwise acquired a child restraint system which meets federal motor vehicle safety standards or certifies to the court in a case involving the transporting of a child under the age of five years but over the age of two years that the operator is aware of the child restraint law and will use a safety belt for the transportation of such children in the future.

6. Failure to use a child restraint system or safety belt as required by this section is not negligence nor is the failure admissible as evidence in a civil action.

Sec. 102. Section 321.1, subsection 2, Code 1983, is amended to read as follows:

2. a. "Motor vehicle" means every vehicle which is self-propelled but not including vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires, but not operated upon rails. ~~The terms "car," "new car," "used car" or "automobile" shall be synonymous with~~

Page 2

~~the term "motor vehicle."~~

b. "Used motor vehicle" or "second-hand motor vehicle" means any motor vehicle of a type subject to registration under the laws of this state which ~~have~~ has been sold "at retail" as defined in chapter 322 and previously registered in this or any other state.

c. "New car" means every ~~motor vehicle designed primarily for carrying nine passengers or less, excluding motorcycles,~~ car which has not been sold "at retail" as defined in chapter 322.

d. "Used car" means every ~~motor vehicle designed primarily for carrying nine passengers or less,~~

~~excluding motorcycles,~~ car which has been sold "at retail" as defined in chapter 322 and previously registered in this state or any other state.

e. "Car" or "automobile" means every motor vehicle designed primarily for carrying nine passengers or less, excluding motorcycles, motorized bicycles, and snowmobiles.

Sec. 103. Section 321.210, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall not consider or assess any points for violations of section 321.446, in determining a license suspension under this section.

Sec. 104. Section 321.445, unnumbered paragraph 5, Code 1983, is amended to read as follows:

Failure to use seat belts installed in a motor vehicle ~~shall~~ is not ~~be~~ a crime or a public offense except as provided in section 321.446.

Sec. 105. Section 321.555, subsection 2, Code 1983, is amended to read as follows:

2. Six or more of any separate and distinct offenses within a two-year period in the operation of a motor vehicle which are required to be reported to the department by section 321.207 or chapter 321C, except equipment violations, violations of parking regulations of cities, violations of registration laws, violations of section 321.446, operating a vehicle with an expired license or permit, failure to appear, ~~and~~ weights and measures violations and speeding violations of less than fifteen miles per hour over the legal speed limit.

Sec. 106. Section 805.8, subsection 2, Code 1983, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. For failing to secure a child with a child restraint system or a safety belt in violation of section 321.446, the scheduled

Page 3

fine is twenty dollars."

2. Page 1, by inserting after line 7 the following:

"Sec. . Sections 101 through 106 of this Act take effect January 1, 1984."

3. Amend the title, by striking line 1 and inserting in lieu thereof the following: "An Act relating to motor vehicle law by repealing Iowa's guest statute, by requiring children under the age of five being transported in automobiles to be secured by child restraint systems or seat belts and providing a penalty and effective dates."

4. By renumbering sections and internal references as necessary.

Bennett of Ida rose on a point of order that amendment H—3254 was not germane.

The Speaker ruled the point well taken and amendment H—3254 not germane.

Lloyd-Jones of Johnson asked for unanimous consent to suspend the rules to consider amendment H—3254.

Objection was raised.

Norland of Worth moved that the rules be suspended to consider amendment H—3254.

A non-record roll call was requested.

The ayes were 54, nays 35.

The motion prevailed and the rules were suspended.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien, for the remainder of the day, on request of Speaker Avenson.

Lloyd-Jones of Johnson moved the adoption of amendment H—3254.

A non-record roll call was requested.

The ayes were 63, nays 27.

Amendment H—3254 was adopted.

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—3240 filed by her on March 10, 1983.

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. 96)

The ayes were, 67:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Connolly	Connors
Cooper	Copenhaver	Davitt	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Halvorson, R. A.	Hammond	Hanson
Hermann	Hoffmann-Bright	Holveck	Hughes
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	McIntee	Miller	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Torrence	Van Camp	Van Gerpen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 26:

Cochran	Corey	Daggett	De Groot
Grandia	Groth	Gruhn	Halvorson, R. N.
Handorf	Harbor	Hummel	Jay
Lonergan	Maulsby	Pellett	Renken
Rensink	Royer	Schnekloth	Skow
Spear	Stromer	Sullivan	Tofte
Van Maanen	Welden		

Absent or not voting, 7:

Chiodo	Haverland	Lageschulte	McKean
Menke	Muhlbauer	Oxley	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 366 WITHDRAWN

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw House File 366 from further consideration by the House.

Senate File 172, a bill for an act to eliminate the requirement that vehicles used by licensed grain dealers carry a special identification plate, was taken up for consideration.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 172)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	Maulsby	McIntee	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Chiodo	Davitt	Hermann	Lageschulte
McKean	Menke	Oxley	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 375 WITHDRAWN

Running of Linn asked and received unanimous consent to withdraw House File 375 from further consideration by the House.

HOUSE FILE 468 WITHDRAWN

Cochran of Webster asked and received unanimous consent to withdraw House File 468 from further consideration by the House.

HOUSE FILE 522 WITHDRAWN

Zimmerman of Dallas asked and received unanimous consent to withdraw House File 522 from further consideration by the House.

INTRODUCTION OF BILL

House File 616, by committee on ways and means, a bill for an act relating to the organization and functions of the department of revenue and the state board of tax review.

Read first time and referred to committee on **finance.**

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 8, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 22, designating Wednesday, April 20, 1983, as "Iowa Teachers Day".

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 22
By Gratias and Brown

Whereas, the members of the teaching profession have dedicated their time and energy to teaching children in ways that will stimulate and reinforce in the children the positive social attitudes which are essential to moral strength and personal stability; and

Whereas, the members of the teaching profession are the adults with whom our children spend a large portion of their waking time and to whom they confide many of their thoughts and feelings; and

Whereas, society depends on teachers to advance the development of the morals as well as the educational potentialities of all individuals in order to promote and perpetuate a democratic society; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That Wednesday, April 20, 1983, is designated as "Iowa Teachers Day", and the Governor is requested to issue a proclamation calling upon the people of the state of Iowa to observe the day with appropriate ceremonies and activities.

Laid over under Rule 25.

MOTIONS TO RECONSIDER

(Senate File 434)

I move to reconsider the vote by which Senate File 434 passed the House on April 8, 1983.

HALVORSON of Webster

(Senate File 450)

I move to reconsider the vote by which Senate File 450 passed the House on April 8, 1983.

ROSENBERG of Story

(Senate File 450)

I move to reconsider the vote by which Senate File 450 passed the House on April 8, 1983.

WOODS of Polk

REREFERRED TO COMMITTEE ON SMALL BUSINESS AND COMMERCE

The Speaker announced that Senate File 414 recommended amend and do pass by the committee on **human resources** at their meeting on April 7, 1983, was rereferred to the committee on **small business and commerce.**

COMMUNICATION FROM SECRETARY OF STATE

April 7, 1983

Mr. Joe O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that Senate File 440 was published in The New Iowa Bystander, West Des Moines, Iowa on March 31, 1983 and in the Muscatine Journal, Muscatine, Iowa on April 6, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Students from Earlham High School, Earlham, accompanied by Ron Meyers. By Skow of Guthrie.

Fifty 4-H club members from Clayton, Delaware, Dubuque, Fayette and Jackson Counties accompanied by Banks Doggett, Barb Sauser and Mrs. Charles Schnekloth. By Avenson of Fayette, Hanson of Delaware, Tabor of Jackson and Jochum, Knapp and Connolly of Dubuque.

Ninety ninth grade students from Jefferson Junior High School, Jefferson. By Blanshan of Greene.

One hundred ninth grade students from Jefferson Junior High School, Jefferson, accompanied by John Turpin. By Blanshan of Greene.

Eighteen eighth grade students from Sacred Heart School, Boone, accompanied by Marilyn O'Brian. By Lonergan of Boone.

Thirty-four eighth through twelfth grade students from Cono Christian School, Walker, accompanied by Andrew Belz. By Hanson of Delaware.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 333 Finance

Relating to preference for Iowa products and labor and providing penalties for violations.

SUBCOMMITTEE ASSIGNMENTS

House File 608

Ways and Means: O'Kane, Chair; Renken and Swartz.

House File 611

Ways and Means: Connolly, Chair; O'Kane and Osterberg.

House File 613

Finance: Arnould, Chair; Jochum and Krewson.

Senate File 14

Finance: Chiodo, Chair; Doderer and Hanson.

Senate File 85

Finance: Doderer, Chair; Hummel and Norland.

Senate File 161

State Government: Buhr, Chair; Tofte and Woods.

Senate File 178

Small Business and Commerce: Chiodo, Chair; Gronstal and Schroeder.

Senate File 208

Finance: Doderer, Chair; Chiodo and Hanson.

Senate File 216

Local Government: Connors, Chair; Lloyd-Jones and Swearingen.

Senate File 221

State Government: Chapman, Chair; Krewson and Lloyd-Jones.

Senate File 223 (Reassigned)

Small Business and Commerce: Chiodo, Chair; Gronstal, McIntee, Parker and Schroeder.

Senate File 349

Judiciary and Law Enforcement: Brammer, Chair; Corey and Miller.

Senate File 355

Natural Resources: Groth, Chair; Stueland and Tabor.

Senate File 356

State Government: Swearingen, Chair; Pavich and Swartz.

Senate File 399

State Government: Blanshan, Chair; Gruhn and Krewson.

Senate File 415

Transportation: Woods, Chair; Koenigs and Pellett.

Senate File 444

Agriculture: Zimmerman, Chair; Skow and Handorf.

Senate File 452

Transportation: Cooper, Chair; Pavich and Van Camp.

Senate File 466

Education: Carter, Chair; Branstad and Zimmerman.

Senate File 470

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

Senate File 474

State Government: Arnould, Chair; Krewson and Swartz.

Senate File 475

Small Business and Commerce: Swartz, Chair; Diemer, Groninga, Halvorson of Clayton and Sturgeon.

Senate File 477

Judiciary and Law Enforcement: Jay, Chair; McIntee and Rosenberg.

Senate File 491

Judiciary and Law Enforcement: Paulin, Chair; Rosenberg and Tabor.

Senate File 492

Judiciary and Law Enforcement: Varn, Chair; Maulsby and Parker.

Senate File 493

Transportation: Miller, Chair; Harbor and Woods.

Senate File 495

Judiciary and Law Enforcement: Jay, Chair; Doderer, McKean, Maulsby and Parker.

Senate File 496

Judiciary and Law Enforcement: Tabor, Chair; Corey and Miller.

Senate File 498

Judiciary and Law Enforcement: McIntee, Chair; Chapman and Tabor.

Senate File 504

Judiciary and Law Enforcement: McIntee, Chair; Clark and Halvorson of Clayton.

Senate File 505

Judiciary and Law Enforcement: McIntee, Chair; Holveck and Miller.

Senate File 506

Judiciary and Law Enforcement: Parker, Chair; Corey and Varn.

Senate File 513

Small Business and Commerce: Gronstal, Chair; Chiodo and Schroeder.

STUDY BILL SUBCOMMITTEE ASSIGNMENT

Study Bill 332

Ways and Means: Doderer, Chair; Carpenter and Fey.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 271), relating to reporting and study of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 7, 1983.

COMMITTEE ON EDUCATION

Senate File 448, a bill for an act relating to the issuance, termination, and requirements for teachers' contracts.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3584** April 7, 1983.

Senate File 466, a bill for an act relating to the method of election of boards of directors of reorganized school districts.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

COMMITTEE ON HUMAN RESOURCES

Senate File 281, a bill for an act relating to the requirement of notification of immunization of school children.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 414, a bill for an act relating to insurance coverage for mental health services provided by certain licensed psychologists.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3574** April 7, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 10, a bill for an act relating to compensation for solemnizing a marriage.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3589** April 7, 1983.

Senate File 53, a bill for an act relating to time off for good behavior of inmates.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 166, a bill for an act relating to authorized number of district judges.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3586** April 7, 1983.

Senate File 302, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3587** April 7, 1983.

Senate File 304, a bill for an act relating to the time limit for petitioning for judicial review of a no-probable-cause decision of the Iowa civil rights commission.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 360, a bill for an act relating to defining who is entitled to claims for materials furnished on public improvements.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 432, a bill for an act relating to inmate transfer hearings.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 459, a bill for an act providing for reasonable attorney fees for a mechanic's lien action.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 477, a bill for an act relating to the liability of dog owners.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 481, a bill for an act relating to the court fees charged and collected as the journal publication fee.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 492, a bill for an act relating to the method of selecting petit jurors.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3591** April 7, 1983.

Senate File 496, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3588** April 7, 1983.

Senate File 498, a bill for an act relating to the liability for a subrogation claim for medical care or expenses through a medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 503, a bill for an act relating to inmates in correctional facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3585** April 7, 1983.

Senate File 504, a bill for an act relating to the repeal or modification of statutes and rules affected by the proposed Iowa rules of evidence.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 370, a bill for an act relating to awards for punitive damages against officers and employees of governmental subdivisions.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

COMMITTEE ON NATURAL RESOURCES

Senate File 355, a bill for an act relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3575** April 7, 1983.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Senate File 178, a bill for an act relating to the inclusion of optometric services in health insurance policies or contracts if the vision care services or procedures are covered when performed by other health care providers.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3583** April 7, 1983.

Senate File 223, a bill for an act increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3578** April 7, 1983.

Senate File 470, a bill for an act relating to the payment of costs in certain civil and administrative actions to which the state is a party.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3581** April 7, 1983.

Senate File 513, a bill for an act relating to the name of a state bank.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3577** April 7, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate File 161, a bill for an act to allow a person who is an instructor at a proprietary school of a profession regulated under chapter 147 to serve on the examining board of that profession.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 221, a bill for an act relating to treatment of animals by persons licensed or registered under chapter 162 with penalties of license or registration suspension or revocation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3576** April 7, 1983.

Senate File 356, a bill for an act creating the Iowa department of public broadcasting and prescribing its powers and duties.

Fiscal Note is required.

Recommended **Do Pass** April 7, 1983.

Senate File 399, a bill for an act relating to the status of the criminal and juvenile justice planning agency and its reporting procedures.

Fiscal Note is required.

Recommended **Do Pass** April 7, 1983.

Senate File 435, a bill for an act regulating fees and filing requirements of business entities.

Fiscal Note is required.

Recommended **Do Pass** April 7, 1983.

Senate File 436, a bill for an act relating to the membership of the council on social services.

Fiscal Note is not required.

Committee Action: **Failed to Pass** April 7, 1983.

COMMITTEE ON TRANSPORTATION

Senate File 452, a bill for an act relating to certain vehicles, which deletes the requirement that a person transporting a mobile home provide a copy of a tax clearance statement to the state department of transportation, provides for an increase in the permit fees charged vehicles of excessive size and weight, increases the suspension period for violators, requires certain vehicles to carry a warning device, eliminates the length restriction of seventy feet for Iowa manufactured vehicles, and permits the department of transportation to require an escort for overdimensional vehicles.

Fiscal Note is required.

Recommended **Do Pass** April 7, 1983.

Senate File 493, a bill for an act relating to the motor vehicle code by providing a rebuttable presumption of residency, by increasing the penalty for improper use of a registration card, registration plate, special plate, or permit, by requiring a motor vehicle overtaking another vehicle on the left to return to the right-hand portion of the roadway before coming within three hundred feet of an approaching vehicle, by clarifying certain language and eliminating certain inconsistent language in the motor vehicle code, by increasing the ability of an officer to issue a uniform citation and complaint, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

Senate File 499, a bill for an act providing for the preservation of rail corridors for future rail use upon abandonment of the rail corridors.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1983.

AMENDMENTS FILED

H—3574	S.F. 414	Committee on Human Resources
H—3575	S.F. 355	Committee on Natural Resources
H—3576	S.F. 221	Committee on State Government
H—3577	S.F. 513	Committee on Small Business and Commerce
H—3578	S.F. 223	Committee on Small Business and Commerce
H—3581	S.F. 470	Committee on Small Business and Commerce
H—3582	S.F. 402	Maulsby of Calhoun
H—3583	S.F. 178	Committee on Small Business and Commerce
H—3584	S.F. 448	Committee on Education
H—3585	S.F. 503	Committee on Judiciary and Law Enforcement
H—3586	S.F. 166	Committee on Judiciary and Law Enforcement

H–3587	S.F. 302	Committee on Judiciary and Law Enforcement
H–3588	S.F. 496	Committee on Judiciary and Law Enforcement
H–3589	S.F. 10	Committee on Judiciary and Law Enforcement
H–3590	H.F. 608	Spear of Lee
H–3591	S.F. 495	Committee on Judiciary and Law Enforcement
H–3592	S.F. 420	Schroeder of Pottawattamie
H–3593	S.F. 464	Krewson of Polk
H–3594	S.F. 464	Krewson of Polk Hummel of Benton
H–3595	S.F. 464	Krewson of Polk
H–3596	S.F. 464	Krewson of Polk
H–3597	S.F. 464	Krewson of Polk
H–3598	S.F. 464	Krewson of Polk
H–3599	S.F. 464	Krewson of Polk
H–3600	S.F. 464	Krewson of Polk
H–3601	S.F. 464	Hammond of Story Doderer of Johnson Baxter of Des Moines Holveck of Polk Mullins of Kossuth
Lloyd-Jones of Johnson Sherzan of Polk Carl of Poweshiek		
H–3602	S.F. 474	Mullins of Kossuth
H–3603	S.F. 474	Mullins of Kossuth
H–3604	S.F. 420	Maulsby of Calhoun
H–3605	S.F. 420	Maulsby of Calhoun
H–3606	S.F. 457	Halvorson of Webster Carpenter of Polk
H–3607	S.F. 474	Schroeder of Pottawattamie
H–3608	S.F. 474	Schroeder of Pottawattamie
H–3609	S.F. 474	Schroeder of Pottawattamie
H–3610	S.F. 474	Schroeder of Pottawattamie
H–3611	S.F. 474	Doderer of Johnson
H–3612	S.F. 474	Doderer of Johnson
H–3613	S.F. 474	Schroeder of Pottawattamie
H–3614	S.F. 474	Schroeder of Pottawattamie
H–3615	S.F. 474	Carpenter of Polk
H–3616	S.F. 474	Carpenter of Polk
H–3617	S.F. 345	Mullins of Kossuth
H–3618	S.F. 474	Schroeder of Pottawattamie

H–3619	H.F.	100	Groth of Buena Vista Welden of Hardin
H–3620	S.F.	495	Harbor of Mills Schroeder of Pottawattamie Menke of O'Brien
H–3621	S.C.R.	13	Woods of Polk
H–3622	S.C.R.	13	Woods of Polk

On motion by Norland of Worth, the House adjourned at 1:48 p.m., until 10:00 a.m., Monday, April 11, 1983.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day—Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 11, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend John Olthoff, pastor of the Christian Reformed Church, Cedar.

The Journal of Friday, April 8, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. W. Ashton McCrary, Lake City.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor, for a portion of the day, on request of Van Maanen of Mahaska; Sturgeon of Woodbury on request of O'Kane of Woodbury.

CONSIDERATION OF BILLS
Noncontroversial Calendar

Senate File 119, a bill for an act relating to the shared use of facilities by public agencies, with report of committee recommending passage was taken up for consideration.

Chapman 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. 119)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver

Corey	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Krewson
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Schroeder

Absent or not voting, 4:

Daggett	Koenigs	Lageschulte	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 136, a bill for an act to make nonsubstantive corrections to the Code, with report of committee recommending amendment and passage was taken up for consideration.

Jay of Appanoose offered the following amendment H–3179 filed by the committee on judiciary and law enforcement and moved its adoption:

H–3179

Amend Senate File 136 as amended and passed by the Senate, as follows:

1. Page 2, by striking line 31 through page 3, line 9 and inserting in lieu thereof the following:

"87.13 INTERPRETATIVE CLAUSE. ~~The law as the same appears in section 85.4 and other sections of chapters 85, 86, and this chapter, including the words "except as provided in this chapter" as the same~~

~~appear in section 85.3 all insofar as it relates to the right to reject the terms, provisions and conditions of the compensation law, shall not apply to any employer or employee engaged in the operation of coal mines, or production of coal, under any system of removing coal for sale, but all~~ All provisions ~~of the law~~ in chapters 85, 85A, 85B, 86, and this chapter relating to compensation for injuries sustained arising out of and in the course of ~~such~~ employment ~~shall be~~ in the operation of coal mines or production of coal under any system of removing coal for sale are exclusive, compulsory and obligatory upon the employer and employee in such employment."

The committee amendment H-3179 was adopted.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 136)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Krewson
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Daggett	Koenigs	Lageschulte	Royer
Running	Sturgeon		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 476 WITHDRAWN

Running of Linn asked and received unanimous consent to withdraw House File 476 from further consideration by the House.

Regular Calendar

Senate File 90, a bill for an act regulating credit union share drafts and share draft accounts, with report of committee recommending amendment and passage, was taken up for consideration.

Gronstal of Pottawattamie offered the following amendment H–3351 filed by the committee on small business and commerce and moved its adoption:

H–3351

Amend Senate File 90 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 29 the following:

" . A credit union may charge fees and penalties on share drafts and apply fees and penalties to the credit union's income in relation to share draft services."

2. Renumber as necessary.

The committee amendment H–3351 was adopted.

Gronstal 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. 90)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Krewson	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Daggett	Doderer	Koenigs	Lageschulte
Sturgeon			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 90)

Norland of Worth asked and received unanimous consent that Senate File 90 be immediately messaged to the Senate.

Senate File 464, a bill for an act relating to the creation of the Iowa department of corrections, prescribing its powers and duties, appropriating moneys, and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Sherzan of Polk offered the following amendment H—3558 filed by the committee on human resources:

H—3558

Amend Senate File 464, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, by striking line 7, and inserting in lieu thereof the following: "shall be electors of this state. Six of the seven members shall each be a".

2. Page 3, by striking lines 15 and 16, and inserting in lieu thereof the following: "affiliation, and while employed as the director, shall not be a member of a political committee, participate in a political campaign, be a candidate for a partisan elective office, and shall not contribute to a political campaign fund, except that the director may designate on the check-off portion of the state or federal income tax return, or both, a party or parties to which a contribution is made pursuant to the check-off. The director shall not hold any".

3. Page 3, line 25, by striking the words "one of the".

4. Page 3, by inserting after line 28, the following:

"c. Establish and maintain a program to oversee women's institutional and community corrections programs and to provide community support to ensure continuity and consistency of programs."

5. Page 5, by inserting after line 22, the following:

"4. The director may expend moneys from the support allocation of the department as reimbursement for replacement or repair of personal items of the department's employees damaged or destroyed by clients of the department during the employee's tour of duty. However, the reimbursement shall not exceed one hundred fifty dollars for each item. The director shall establish rules in accordance with chapter 17A to carry out the purpose of this subsection."

6. Page 11, line 26, by striking the words "Except as provided in subsection 2, the" and inserting in lieu thereof the word "The".

7. Page 14, line 31, by inserting after the word "times" the words "to be".

8. Page 18, line 13, by striking the words "upon a solvent bank".

9. Page 24, line 8, by striking the words "medical doctors" and inserting in lieu thereof the words "~~medical doctors~~ physicians".

10. Page 24, line 16, by inserting after the word "or" the word "other".

11. Page 28, by striking line 32 through page 29, line 2.

Page 2

12. Page 34, line 23, by striking the word "Inmates" and inserting in lieu thereof the words "~~Inmates~~ Female inmates".

13. Page 35, line 5, by striking the word "Inmates" and inserting in lieu thereof the words "~~Inmates~~ Male inmates".

14. Page 37, line 8, by striking the words and figures "Beginning April 1, 1978, the" and inserting in lieu thereof the following: "~~Beginning April 1, 1978, the~~ The".

15. Page 37, line 22, by striking the word "all" and inserting in lieu thereof the word "~~all~~".

16. Page 37, by striking lines 25 and 26, and inserting in lieu thereof the following: "~~and shall be operated in conjunction with and utilize the facilities of the prison honor farm at Newton, Iowa~~."

17. Page 68, by inserting after line 1, the following: "The Iowa department of corrections in consultation with the Iowa merit employment department and subject to approval by the executive council, shall determine which positions of the Iowa department of corrections shall be transferred to the judicial district departments when the transfer of parole and work release programs and responsibilities is made pursuant to this Act.

Employees of the Iowa department of corrections who become employees of judicial district departments of correctional services because of the transfer of parole and work release programs and responsibilities to the judicial district departments, shall be credited with all the seniority, vacation, and sick leave that had accrued to the employee at the time of the employee's transfer to the district department.

If a person transferred to a judicial district department pursuant to this Act, is reemployed by the Iowa department of corrections within two years of the transfer, that person shall be credited with all the seniority that accrued to the person prior to the transfer to the judicial district department."

18. Page 68, line 7, by inserting after the word "Act." the following: "The code editor shall change the term "inmate" in chapter 218 to the term "resident", unless the context requires otherwise."

19. Title page, by striking lines 1 through 3 and inserting in lieu thereof the following: "An Act reorganizing the department of social services by establishing a department of corrections and renaming the department of social services as the department of human services."

20. By renumbering to conform to this amendment.

Hammond of Story offered the following amendment H–3601, to the committee amendment H–3558, filed by Hammond, et al. :

H–3601

Amend amendment H–3558 to Senate File 464 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 25, by inserting after "programs." the following: "The person responsible for implementing this section shall report to the director."

Krewson of Polk rose on a point of order and invoked Rule 32 on Senate File 464.

The Speaker ruled the point well taken and Rule 32 in order to refer Senate File 464 to the committee on appropriations.

Norland of Worth asked for unanimous consent to suspend Rule 32.

Objection was raised.

Norland of Worth moved that Rule 32 be suspended on Senate File 464.

A non-record roll call was requested.

The ayes were 53, nays 36.

The motion prevailed and Rule 32 was suspended.

On motion by Hammond of Story, amendment H–3601, to the committee amendment H–3558, was adopted.

On motion by Sherzan of Polk, the committee amendment H–3558, as amended, was adopted.

Ollie of Clinton in the chair at 10:47 a.m.

Krewson of Polk offered the following amendment H–3597 filed by him and moved its adoption:

H–3597

Amend Senate File 464 as follows:

1. Page 1, by striking lines 32 and 33 and inserting in lieu thereof the following: "probation, residential facilities and presentence investigation."
2. Page 1 by inserting after line 35 the following new subsection:
"4. Supervision of parolees and inmates on work release."
3. Page 2, line 1 by striking the numeral "4" and inserting in lieu thereof the numeral "5".

A non-record roll call was requested.

The ayes were 39, nays 50.

Amendment H—3597 lost.

Krewson of Polk offered the following amendment H—3593 filed by him and moved its adoption:

H—3593

Amend Senate File 464 as amended, passed, and reprinted by the Senate, as follows:
1. Page 5, by inserting after line 4, the following:
"j. Adopt rules, policies, and procedures, subject to the approval of the board, pertaining to the supervision of parole and work release."
2. Page 53, line 35, by inserting after the word "chapter" the words "and which conform to rules, policies, and procedures adopted by the director of the Iowa department of corrections concerning the community-based correctional program".

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 44, nays 50.

Amendment H—3593 lost.

Krewson of Polk asked and received unanimous consent to withdraw amendment H—3600 filed by him on April 8, 1983.

Krewson of Polk offered amendment H—3594 filed by him and Hummel of Benton. Division was requested as follows:

H—3594

Amend Senate File 464 as follows:

H—3594A

1. Page 13, by striking line 22 and inserting in lieu thereof the words "institutions or programs under the director's control or receiving funds from the department, and investigate".

H—3594B

2. Page 13, by striking lines 33 and 34 and inserting in lieu thereof the words "of any public or private institution or program subject to the department's accreditation, funding, supervision or control."

On motion by Krewson of Polk, amendment H—3594A lost.

Krewson of Polk moved the adoption of amendment H—3594B.

A non-record roll call was requested.

The ayes were 34, nays 51.

Amendment H—3594B lost, placing out of order amendment H—3595 filed by Krewson of Polk on April 8, 1983.

Krewson of Polk offered the following amendment H—3598 filed by him and moved its adoption:

H—3598

Amend Senate File 464 as amended, passed and reprinted by the Senate, as follows:

1. By striking page 15, line 20 through page 16, line 7.

2. By renumbering as necessary.

Amendment H—3598 was adopted.

Krewson of Polk asked and received unanimous consent to withdraw amendment H—3596 filed by him on April 8, 1983.

Krewson of Polk offered the following amendment H—3599 filed by him:

H—3599.

Amend Senate File 464 as amended, passed, and reprinted by the Senate, as follows:

1. Page 22, line 5, by inserting after the numeral "28E." the following: "All joint campuses shall have one superintendent and one business manager who shall be employed by the department with supervisory responsibility for the majority of the facility's population."

Krewson of Polk offered the following amendment H—3623, to amendment H—3599, filed by him from the floor and moved its adoption:

H—3623

Amend amendment H—3599 to page 22 of Senate File 464 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 7, by adding after the word "population." the following: "Employment of the superintendent and business manager shall be done in consultation with the department which has responsibility for services for the other population at the facility."

Amendment H—3623 was adopted.

On the motion by Krewson of Polk, amendment H—3599, as amended, was adopted.

Hummel of Benton called up for consideration the motion to reconsider amendment H—3593 filed by him from the floor.

Speaker Avenson in the chair at 11:45 a.m.

Norland of Worth asked and received unanimous consent to temporarily defer action on Senate File 464. (Motion to reconsider amendment H—3593 pending.)

REREFERRED TO COMMITTEE

Norland of Worth asked and received unanimous consent to rerefer the following House files from the regular calendar to their committee of origin:

H.F. 7 Agriculture
H.F. 77 Labor and Industrial Relations
H.F. 118 Local Government
H.F. 130 State Government
H.F. 144 Labor and Industrial Relations
H.F. 169 Local Government
H.F. 206 Transportation
H.F. 215 Local Government
H.F. 257 State Government
H.F. 338 Local Government
H.F. 352 Education
H.F. 360 Local Government
H.F. 378 Local Government
H.F. 382 Local Government
H.F. 395 Labor and Industrial Relations
H.F. 407 Local Government
H.F. 417 Transportation
H.F. 422 Small Business and Commerce
H.F. 443 Local Government
H.F. 491 Human Resources
H.F. 503 Agriculture
H.F. 505 Human Resources
H.F. 506 Education
H.F. 509 Education
H.F. 513 State Government
H.F. 519 Small Business and Commerce
H.F. 524 Judiciary and Law Enforcement
H.F. 530 Local Government
H.F. 531 Natural Resources
H.F. 552 State Government
H.F. 558 Human Resources
H.F. 565 Judiciary and Law Enforcement
H.F. 571 Judiciary and Law Enforcement
H.F. 573 Judiciary and Law Enforcement
H.F. 576 Human Resources
H.F. 579 Judiciary and Law Enforcement
H.F. 580 State Government
H.F. 585 Local Government
H.F. 586 Transportation
H.F. 589 Transportation
H.F. 590 State Government
H.F. 594 Energy
H.F. 595 Judiciary and Law Enforcement
H.F. 596 Education
H.F. 597 Judiciary and Law Enforcement
H.F. 598 Judiciary and Law Enforcement
H.F. 599 Transportation
H.F. 600 Transportation
H.F. 601 Judiciary and Law Enforcement
H.F. 602 Natural Resources
H.F. 605 Judiciary and Law Enforcement
H.F. 609 Human Resources

On motion by Norland of Worth, the House was recessed at 11:51 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 11, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 244, a bill for an act relating to the care given under workers' compensation medical benefits.

K. MARIE THAYER, Secretary

Regular Calendar

The House resumed consideration of **Senate File 464,** a bill for an act relating to the creation of the Iowa department of corrections, prescribing its powers and duties, appropriating moneys, and providing penalties, previously deferred, and the motion to reconsider amendment H—3593 filed by Hummel of Benton from the floor.

Hummel of Benton moved to reconsider the vote by which amendment H—3593 failed to be adopted by the House on April 11, 1983, which motion prevailed and the House reconsidered amendment H—3593.

Krewson of Polk offered the following amendment H—3628, to amendment H—3593, filed by him and Sherzan of Polk from the floor and moved its adoption:

H—3628

Amend H—3593 to Senate File 464 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 10 by inserting after the word "procedures" the words "pertaining to the supervision of parole and work release".

Amendment H—3628 was adopted.

On motion by Krewson of Polk, amendment H–3593, as amended, was adopted.

The following amendment H–3629, filed by Spear of Lee from the floor, was adopted by unanimous consent:

H–3629

Amend Senate File 464 as follows:

1. Title page as amended by amendment H–3558 by striking the words "corrections and" and inserting in lieu thereof the word "corrections,".

2. Title page as amended by amendment H–3558 by inserting after the words "human services" the following: ", and providing penalties".

Sherzan 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. 464)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

Carl Hummel Krewson Mullins

Absent or not voting, 2:

Daggett Sturgeon

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 464)

Norland of Worth asked and received unanimous consent that Senate File 464 be immediately messaged to the Senate.

SENATE FILE 474 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 474 be temporarily deferred and that the bill retain its place on the calendar.

Senate File 457, a bill for an act relating to the campaign finance disclosure commission, with report of committee recommending amendment and passage was taken up for consideration.

Halvorson of Webster offered the following amendment H—3561 filed by the committee on state government:

H—3561

Amend Senate File 457 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by striking lines 1 through 32.

2. Page 2, line 3, by striking the words and figures "subsections 6 and 13" and inserting in lieu thereof the word and figure "subsection 6".

3. Page 2, line 8, by striking the words "~~two~~ five hundred ~~fifty~~" and inserting in lieu thereof the words "two hundred fifty".

4. Page 2, line 14, by striking the words "five hundred" and inserting in lieu thereof the words "two hundred fifty".

5. Page 2, by striking lines 17 through 20.

6. Page 3, line 24, by striking the word "five"

and inserting in lieu thereof the word "ten".

7. Page 3, line 26, by striking the word "one" and inserting in lieu thereof the word "two".

8. By striking page 4, line 35 through page 5, line 8.

9. Page 5, by inserting before line 9 the following:

"Sec. 5. Section 56.6, subsection 3, paragraph b, subparagraphs (4) and (6), Code 1983, are amended to read as follows:

(4) For any candidate for the general assembly ..... ~~$ 50~~ $25

(6) For any candidate for state-wide office ..... ~~$100~~ $25"

10. Page 5, by inserting after line 19 the following:

"Sec. 7. Section 56.6, subsection 3, paragraph e, Code 1983, is amended to read as follows:

e. Each loan to or debt or obligation owed to any person or committee within the calendar year in an aggregate amount in excess of those amounts enumerated in the schedule in paragraph "b" of this subsection, together with the name and mailing address of the lender and endorsers, ~~and~~ the date and amount of ~~such loans~~ each loan received, and the date and amount of each loan repayment. Loans received and loan repayments shall be reported on ~~the contributions section of the disclosure statement~~ a separate schedule."

11. Page 5, line 32, by inserting after the word "all" the word "loans,".

12. Page 5, line 33, by inserting after the word "paid" the word ", forgiven".

13. Page 5, line 35, by inserting after the word "statement." the words "If a loan is transferred or forgiven, the amount of the transferred or forgiven loan must be reported as an in kind contribution and deducted from the loans receivable balance on the

Page 2

disclosure form."

14. Page 7, by striking lines 2 through 9.

15. Page 8, by inserting after line 28 the following:

"Sec. 13. This Act takes effect January 1 following enactment."

16. By renumbering to conform with this amendment.

Carpenter of Polk offered the following amendment H–3627, to the committee amendment H–3561, filed by her from the floor and moved its adoption:

H—3627

Amend amendment H—3561 to Senate File 457 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 31, by striking the words "or debt or obligation owed to".

Amendment H—3627 was adopted.

Halvorson of Webster offered the following amendment H—3606, to the committee amendment H—3561, filed by him and Carpenter of Polk and moved its adoption:

H—3606

Amend amendment H—3561 to Senate File 457 as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by striking line 2 and inserting in lieu thereof the following:

"14. Page 7, lines 8 and 9, by striking the words "~~two~~ five hundred ~~fifty~~" and inserting in lieu thereof the words "two hundred fifty".

Amendment H—3606 was adopted.

Division of the committee amendment H—3561 was requested as follows: H—3561A, lines 3 through 13 and lines 18 and 19 on page 1, and line 2 on page 2; H—3561B, lines 14 through 17 and lines 20 through 50 on page 1 and line 1 and lines 3 through 7 on page 2.

Halvorson of Webster moved the adoption of the committee amendment H—3561A, as amended.

A non-record roll call was requested.

The ayes were 58, nays 27.

The committee amendment H—3561A, as amended, was adopted.

On motion by Halvorson of Webster, the committee amendment H—3561B, as amended, was adopted.

Bennett of Ida offered the following amendment H—3522 filed by him and moved its adoption:

H–3522

Amend Senate File 457 as amended, passed and reprinted by the Senate, as follows:

1. Page 3, by striking lines 28 through 31 and inserting in lieu thereof the words "primary, general or special election. The report shall be filed by the Friday".

2. Page 5, by striking lines 9 through 19.

3. By renumbering to conform with this amendment.

Roll call was requested by Swartz of Marshall and Arnould of Scott.

On the question "Shall amendment H–3522 be adopted?"

The ayes were, 24:

Anderson	Bennett	Corey	De Groot
Grandia	Halvorson, R. A.	Handorf	Hermann
Hoffmann-Bright	Hummel	Lageschulte	Maulsby
Paulin	Pellett	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Tofte	Torrence	Van Camp	Van Gerpen

The nays were, 69:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Renken	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sullivan	Swartz	Swearingen	Tabor
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 7:

Branstad	Daggett	Harbor	Krewson
Menke	Sturgeon	Welden	

Amendment H–3522 lost.

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.

On the question "Shall the bill pass?" (S.F. 457)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 1:

Schroeder

Absent or not voting, 7:

Branstad	Daggett	Harbor	Krewson
Menke	Sturgeon	Welden	

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 relating to the amount of land owned by a merged area, with report of committee recommending passage was taken up for consideration.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 88)

The ayes were, 86:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connors
Corey	Davitt	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 10:

Buhr	Connolly	Cooper	Copenhaver
De Groot	Doderer	Knapp	Menke
Shoultz	Welden		

Absent or not voting, 4:

Daggett	Harbor	Krewson	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 474, a bill for an act relating to the practice of chiropractic, with report of committee recommending amendment and passage, was taken up for consideration.

Arnould of Scott offered the following amendment H–3560 filed by the committee on state government:

H—3560

Amend Senate File 474 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 17, by inserting after the word "advice" the words "leading to fulfillment of the recommended dietary allowance of nutrients and attainment of normal body weight".

2. Page 1, by inserting after line 19 the following:

"Sec. . Section 151.3, subsection 3, Code 1983, is amended to read as follows:

3. Pass an examination prescribed by the chiropractic examiners in the subjects of anatomy, physiology, nutrition and dietetics, symptomatology and diagnosis, hygiene and sanitation, chemistry, histology, pathology, and principles and practice of chiropractic, including a clinical demonstration of vertebral palpation, nerve tracing and adjusting."

3. By numbering and renumbering as necessary.

Mullins of Kossuth offered the following amendment H—3602, to the committee amendment H—3560, filed by her:

H—3602

Amend H—3560 to Senate File 474 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 5, by inserting after the word "nutrients" the words "as defined by the national academy of sciences".

Stueland of Clinton in the chair at 3:58 p.m.

Mullins of Kossuth moved the adoption of amendment H—3602, to the committee amendment H—3560.

A non-record roll call was requested.

The ayes were 54, nays 33.

Amendment H—3602 was adopted.

Cochran of Webster asked and received unanimous consent to temporarily defer action on the committee amendment H—3560, as amended.

Carpenter of Polk offered the following amendment H–3616 filed by her and moved its adoption:

H–3616

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 9, by inserting after the word "instrument," the words "not including electrical or electronic instruments except those generating heat or cold,".

Roll call was requested by Schroeder of Pottawattamie and Mullins of Kossuth.

On the question "Shall amendment H–3616 be adopted?"

The ayes were, 31:

Anderson	Bennett	Branstad	Carpenter
Chiodo	Clark	Copenhaver	Corey
Diemer	Doderer	Grandia	Gronstal
Groth	Hanson	Harbor	Holveck
Hughes	Hummel	Jay	Lloyd-Jones
Maulsby	McIntee	Mullins	Paulin
Poncy	Schnekloth	Schroeder	Tabor
Van Gerpen	Van Maanen	Mr. Speaker (Stueland)	

The nays were, 61:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Davitt	De Groot
Fey	Fogarty	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Haverland	Hermann	Hoffmann-Bright	Jochum
Koenigs	Lageschulte	Lonergan	McKean
Menke	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Parker
Pavich	Peick	Pellett	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Sherzan	Shoultz	Skow
Spear	Stromer	Swartz	Swearingen
Tofte	Torrence	Van Camp	Varn
Zimmerman			

Absent or not voting, 8:

Daggett	Knapp	Krewson	Oxley
Sturgeon	Sullivan	Welden	Woods

Amendment H—3616 lost.

The House resumed consideration of the committee amendment H—3560, as amended.

Cochran of Webster offered the following amendment H—3636, to the committee amendment H—3560, filed from the floor by him and Arnould of Scott and moved its adoption:

H—3636

Amend amendment H—3560 to Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 6 the following:

" . Page 1, line 19, by inserting after the figure "151.8." the following: "However, a person engaged in the practice of chiropractic shall not profit from the sale of nutritional products coinciding with the nutritional advice rendered." "

2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 46, nays 38.

Amendment H—3636 was adopted.

Van Maanen of Mahaska asked and received unanimous consent to change his vote from "nay" to "aye" on the roll call vote on amendment H—3616 and the vote was so recorded.

Division of the committee amendment was requested as follows: Lines 3 through 6, amendment H—3560A; lines 7 through 18, amendment H—3560B.

Speaker Avenson in the chair at 4:22 p.m.

Arnould of Scott moved the adoption of the committee amendment H—3560A, as amended.

Roll call was requested by Mullins of Kossuth and Doderer of Johnson.

On the question "Shall amendment H—3560A, as amended, be adopted?"

The ayes were, 40:

Anderson	Bennett	Black	Brammer
Branstad	Buhr	Carl	Carpenter
Chiodo	Clark	Cochran	Copenhaver
Doderer	Grandia	Groninga	Hammond
Hanson	Harbor	Hermann	Holveck
Hummel	Jay	Krewson	Lageschulte
Lloyd-Jones	Maulsby	McIntee	Mullins
Osterberg	Poncy	Rosenberg	Schnekloth
Schroeder	Swearingen	Tabor	Tofte
Van Gerpen	Van Maanen	Varn	Zimmerman

The nays were, 55:

Arnould	Baxter	Blanshan	Carter
Chapman	Connors	Cooper	Corey
Davitt	De Groot	Diemer	Fey
Fogarty	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Handorf	Haverland
Hoffmann-Bright	Hughes	Jochum	Knapp
Koenigs	Lonergan	McKean	Menke
Miller	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Renaud
Renken	Rensink	Royer	Running
Sherzan	Shoultz	Skow	Spear
Stueland	Sullivan	Swartz	Van Camp
Welden	Woods	Mr. Speaker	

Absent or not voting, 5:

Connolly	Daggett	Stromer	Sturgeon
Torrence			

Amendment H—3560A, as amended, lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hughes of Union, for the remainder of the day, on request of Skow of Guthrie.

On motion by Arnould of Scott, the committee amendment H–3560B, as amended, was adopted.

Schroeder of Pottawattamie offered the following amendment H–3614 filed by him and moved its adoption:

H–3614

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 10, by striking the word "care" and inserting in lieu thereof the word "adjustment".

Amendment H–3614 lost.

Schroeder of Pottawattamie offered the following amendment H–3618 filed by him and moved its adoption:

H–3618

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 12, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

2. Page 1, by inserting after line 19 the following:

"NEW SUBSECTION. 4. The practice of chiropractic shall not include the treatment of tumors, cancer, diabetes, strokes, heart ailments, or contagious, infectious, or organic diseases."

Roll call was requested by Lageschulte of Bremer and Arnould of Scott.

On the question "Shall amendment H–3618 be adopted?"

The ayes were, 44:

Anderson	Bennett	Black	Brammer
Buhr	Carpenter	Carter	Chapman
Chiodo	Clark	Corey	De Groot
Diemer	Grandia	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hummel	Koenigs	Lageschulte
Maulsby	McIntee	Menke	Miller
Mullins	Oxley	Paulin	Pellett
Poncy	Rensink	Royer	Schnekloth
Schroeder	Stueland	Swearingen	Tabor
Van Gerpen	Van Maanen	Varn	Welden

The nays were, 48:

Arnould	Baxter	Blanshan	Branstad
Carl	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Fey
Fogarty	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Haverland	Jay
Jochum	Krewson	Lloyd-Jones	Lonergan
McKean	Muhlbauer	Norland	Ollie
Osterberg	Parker	Pavich	Peick
Renaud	Renken	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sullivan	Swartz	Tofte	Torrence
Van Camp	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 8:

Daggett	Doderer	Groninga	Hughes
Knapp	O'Kane	Stromer	Sturgeon

Amendment H—3618 lost.

Doderer of Johnson offered the following amendment H—3612 filed by her:

H—3612

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 14, by inserting after the word "thereto" the words "for the purposes of chiropractic treatment".

2. Page 1, line 17, by inserting after the word "examinations" the words "for the purposes of determining appropriate chiropractic treatment".

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendments H—3612 and H—3610.

Schroeder of Pottawattamie offered the following amendment H—3608 filed by him and moved its adoption:

H—3608

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 18, by inserting after the word

"procedures" the words "incidental to spinal adjustments".

Amendment H—3608 lost.

Schroeder of Pottawattamie offered the following amendment H—3609 filed by him and moved its adoption:

H—3609

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 18, by inserting before the word "all" the words "limited to heat, cold, exercise and supports, and none of the procedures in this subsection as independent therapeutic agents,".

Amendment H—3609 lost.

The House resumed consideration of amendment H—3612.

Doderer of Johnson offered the following amendment H—3645, to amendment H—3612, filed by her from the floor and moved its adoption:

H—3645

Amend amendment H—3612 to Senate File 474 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by inserting after line 2 the following:

" . Page 1, by inserting before line 1, the following:

"Section 1. Section 151.1, unnumbered paragraph 1, is amended to read as follows: "For the purposes of this title the following ~~classes of~~ persons shall be deemed to be engaged in the practice of chiropractic:"

Sec. 2. Section 151.1, subsection 1, is amended to read as follows:

"1. Persons publicly professing to be chiropractors or publicly professing to assume the duties incident to the practice of chiropractic and who treat persons as provided in subsections 2 and 3 of this section." "

A non-record roll call was requested.

The ayes were 48, nays 34.

Amendment H—3645 was adopted.

Doderer of Johnson moved the adoption of amendment H—3612, as amended.

Roll call was requested by Arnould of Scott and Halvorson of Clayton.

Rule 76 was invoked.

On the question "Shall amendment H—3612, as amended, be adopted?"

The ayes were, 47:

Anderson	Bennett	Black	Brammer
Buhr	Carpenter	Chapman	Chiodo
Clark	Copenhaver	Corey	Diemer
Doderer	Grandia	Groninga	Halvorson, R. N.
Hammond	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hummel	Knapp
Koenigs	Lageschulte	Maulsby	McIntee
Menke	Miller	Mullins	Ollie
Oxley	Paulin	Pellett	Poncy
Rensink	Royer	Schnekloth	Schroeder
Stueland	Swearingen	Tabor	Torrence
Van Gerpen	Van Maanen	Welden	

The nays were, 49:

Arnould	Baxter	Blanshan	Branstad
Carl	Carter	Cochran	Connolly
Connors	Cooper	Davitt	De Groot
Fey	Fogarty	Gronstal	Groth
Gruhn	Halvorson, R. A.	Handorf	Hanson
Jay	Jochum	Krewson	Lloyd-Jones
Lonergan	McKean	Muhlbauer	Norland
Osterberg	Parker	Pavich	Peick
Renaud	Renken	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Stromer	Sullivan	Swartz	Tofte
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 4:

Daggett	Hughes	O'Kane	Sturgeon

Amendment H—3612, as amended, lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3610 filed by him on April 8, 1983.

Connors of Polk in the chair at 5:35 p.m.

Schroeder of Pottawattamie offered the following amendment H—3607 filed by him and moved its adoption:

H—3607

Amend Senate File 474, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 19, by striking the words "and authorized by".

Amendment H—3607 lost.

Corey of Louisa offered the following amendment H—3551 filed by him and moved its adoption:

H—3551

Amend Senate File 474 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by inserting after line 29, the following:

"Sec. 4. Section 151.6, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A person using any or all of the additional procedures authorized by this Act must place upon all signs used and display prominently in the office the words "chiropractic physiotherapist."

2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 36, nays 50.

Amendment H—3551 lost.

Carpenter of Polk offered the following amendment H—3615 filed by her and moved its adoption:

H—3615

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 34, by inserting after the word "the" the word "highest".

A non-record roll call was requested.

The ayes were 38, nays 45.

Amendment H—3615 lost.

Mullins of Kossuth offered the following amendment H—3603 filed by her and moved its adoption:

H—3603

Amend Senate File 474 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking line 35, and inserting in lieu thereof the words "health care practitioner in this state and to the standards of practice of the American dietetic association."

2. Page 2, line 21, by inserting after the word "chiropractic" the words "nor with the standards of practice of the American dietetic association".

Amendment H—3603 lost.

Spear of Lee offered the following amendment H—3530 filed by him and moved its adoption:

H—3530

Amend Senate File 474 as amended, passed and reprinted by the Senate, as follows:

1. Page 2, line 3, by striking the words "only be required to be tested" and inserting in lieu thereof the words "be required to be tested for procedures of the adjustment of the neuromusculoskeletal structures and".

2. Page 2, line 6, by striking the word "only".

3. Page 2, line 7, by inserting after the word "for" the words "procedures of the adjustment of the neuromusculoskeletal structures and for".

A non-record roll call was requested.

The ayes were 36, nays 50.

Amendment H—3530 lost.

Schroeder of Pottawattamie offered the following amendment H—3613 filed by him and moved its adoption:

H—3613

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 3, by inserting after the word "tested" the words "and demonstrate proficiency".

Amendment H—3613 lost.

Doderer of Johnson offered the following amendment H—3611 filed by her:

H—3611

Amend Senate File 474, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, line 20, by striking the word "definitions" and inserting in lieu thereof the word "rules".

2. Page 2, line 21, by inserting after the word "chiropractic" the words "and shall not expand the scope of practice of chiropractic or authorize the use of procedures not authorized by this chapter".

Doderer of Johnson offered the following amendment H—3624, to amendment H—3611, filed by her from the floor and moved its adoption:

H—3624

Amend amendment H—3611 to Senate File 474 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 9, by adding after the word "chapter" the following: "These rules shall conform with chapter 17A, Code 1983."

A non-record roll call was requested.

The ayes were 55, nays 30.

Amendment H—3624 was adopted.

On motion by Doderer of Johnson, amendment H—3611, as amended, was adopted.

Jay of Appanoose called up for consideration the motion to reconsider amendment H—3618 filed by him from the floor.

Speaker Avenson in the chair at 6:16 p.m.

Jay of Appanoose moved to reconsider the vote by which amendment H—3618 failed to be adopted by the House on April 11, 1983.

A non-record roll call was requested.

The ayes were 50, nays 38.

The motion prevailed and the House reconsidered amendment H—3618.

Schroeder of Pottawattamie asked for unanimous consent to strike the words "or organic disease" in amendment H—3618.

Objection was raised.

Schroeder of Pottawattamie moved the adoption of amendment H—3618.

A non-record roll call was requested.

The ayes were 38, nays 51.

Amendment H—3618 lost.

Arnould 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. 474)

The ayes were, 63:

Arnould	Baxter	Black	Blanshan
Branstad	Buhr	Carl	Carter
Chapman	Connolly	Connors	Cooper

Davitt	De Groot	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McKean
Menke	Miller	Muhlbauer	Norland
Ollie	Osterberg	Peick	Renaud
Renken	Rensink	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Stromer	Sullivan	Swartz	Swearingen
Torrence	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 32:

Bennett	Brammer	Carpenter	Chiodo
Clark	Cochran	Copenhaver	Corey
Diemer	Doderer	Harbor	Hermann
Holveck	Lageschulte	Maulsby	McIntee
Mullins	O'Kane	Oxley	Parker
Paulin	Pavich	Pellett	Poncy
Royer	Schnekloth	Schroeder	Stueland
Tabor	Tofte	Van Gerpen	Van Maanen

Absent or not voting, 5:

Anderson	Daggett	Hoffmann-Bright	Hughes
Sturgeon			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 474)

Norland of Worth asked and received unanimous consent that Senate File 474 be immediately messaged to the Senate.

RULE 31.8 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 31.8, relating to the filing of amendments on Senate File 495, on Tuesday, April 12, 1983.

HOUSE CONCURRENT RESOLUTION 22
By Sullivan

Whereas, the standing committee on natural resources of the house of representatives has recommended passage of House File 611; and

Whereas, House File 611 establishes a public outdoor recreation and resources fund, financed by a one mill levy on cigarettes, for land acquisition and capital improvements for state parks, public hunting and fishing areas, natural areas, water access sites, trail corridors and other projects; and

Whereas, this state has a very low percentage of land in public ownership available for such uses; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is requested to authorize a committee to conduct a study of House File 611 during the 1983 legislative interim; and

Be It Further Resolved, That the committee appointed to study House File 611 report its recommendations to the legislative council prior to the convening of the next regular session of the general assembly.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 23
By O'Kane, Pavich, Branstad, Osterberg and Maulsby

Whereas, reorganization of state agencies has been shown to save tax dollars in the past; and

Whereas, the state should continuously strive to make the most efficient use of state tax dollars; and

Whereas, efficiency in state government continues to be the goal of the general assembly; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is urged to establish a study committee composed of members of the transportation and law enforcement appropriations subcommittee of the standing committees on appropriation to conduct a study during the 1983 interim to determine whether tax funds may be saved by making the division of criminal investigation a part of the Iowa state highway safety patrol and whether additional savings could be achieved by reassigning a portion of the duties of the Iowa law enforcement academy to the area colleges; and

Be It Further Resolved, That the study committee

shall submit its findings of fact and recommendations, including the necessary bill drafts to implement its recommendations, to the legislative council and the 1984 Session of the Seventieth General Assembly.

Laid over under Rule 25.

HOUSE RESOLUTION 7
By Jay

Whereas, crime continues to cause social and personal suffering across the United States; and

Whereas, the serious nature of crime is most clearly demonstrated in its impact on the victim; and

Whereas, at least one in three households is victimized by crime each year; and

Whereas, crime victims and witnesses are too often overlooked in our system of justice as efforts are concentrated on apprehending, prosecuting, and fairly sanctioning criminal offenders; and

Whereas, compassion and the fair administration of justice mandate that all citizens recognize the rights of victims, witnesses, and their loved ones or survivors; and

Whereas, the Iowa general assembly has recently passed and enacted into law legislation providing for crime victim restitution and crime victim reparation; *Now Therefore*,

Be It Resolved by the House of Representatives, That the week of April 17-23, 1983, be declared "Victim Rights Week", and that all citizens and institutions be urged to support the recognition of victim rights in Iowa and support the efforts to protect such rights.

Laid over under Rule 25.

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, 1983: House Files 53 and 184.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 11, 1983, he approved and transmitted to the Secretary of State the following bill:

House File 184, a bill for an act relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds; the time when unclaimed deposits and refunds held by utilities are presumed abandoned, crediting the unclaimed deposits and refunds, and when abandoned property must be claimed from the treasurer of state; relating to funds available to area education agencies for special education support services; and relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-five second grade students from West Elementary School, Knoxville, accompanied by Mrs. Nichols and Mrs. Uitermarkt. By Grandia of Marion.

Thirty-seven eighth grade students from Popejoy Elementary School, Popejoy, accompanied by Janet Ziesman. By Welden of Hardin.

Sixty fifth grade students from Clegg Park Elementary School, West Des Moines, accompanied by Mrs. Perman and Mrs. True. By Carpenter of Polk.

Forty eighth grade students from St. John's School, Bancroft, accompanied by Mrs. Summitt. By Branstad of Winnebago.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Mr. Smith. By Jay of Appanoose.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 444, a bill for an act relating to the practice of veterinary medicine.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–3626** April 8, 1983.

Senate File 500, a bill for an act relating to the rate of inspection fees paid on commercial feeds.

Fiscal Note is not required.

Recommended **Do Pass** April 8, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 479, a bill for an act relating to the sentences of offenders by providing that the supreme court has the power to prescribe certain sentencing advisory rules, and that the sentencing court shall name the offense when entering judgment, by authorizing the board of parole to establish parole guidelines based on certain criteria of offense and offender characteristics, by providing certain travel expenses of alleged parole violators to be paid by the department of social services, and by amending certain references in the Code and rules of criminal procedure, and relating to penalties.

Fiscal Note is not required.

Committee Action: **Failed to Pass** April 8, 1983.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 423, a bill for an act relating to workers' compensation by modifying the intoxication defense, raising the interest rate on subrogation recoveries, providing that the statute of limitations does not run on certain medical benefits, transferring the authority to act as conservator of the second injury fund to the treasurer of state, and eliminating the industrial commissioner as a respondent in appeals from final agency action.

Fiscal Note is not required.

Recommended **Do Pass** April 8, 1983.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 214, a bill for an act to provide that a county waterworks may be financed with general obligation bonds as an essential county purpose.

Fiscal Note is not required.

Committee Action: **Failed to Pass** April 8, 1983.

AMENDMENTS FILED

H–3626	S.F.	444	Committee on Agriculture
H–3630	H.F.	613	Lonergan of Boone De Groot of Lyon
H–3631	S.F.	448	Carpenter of Polk
H–3632	S.F.	420	Gronstal of Pottawattamie
H–3633	S.F.	345	Schroeder of Pottawattamie
H–3634	S.F.	345	Hanson of Delaware Parker of Jasper
H–3635	S.F.	345	Schroeder of Pottawattamie
H–3637	S.F.	345	Mullins of Kossuth McKean of Jones Fogarty of Palo Alto Groth of Buena Vista
H–3638	S.F.	345	Mullins of Kossuth McKean of Jones Fogarty of Palo Alto Groth of Buena Vista
H–3639	S.F.	345	Hanson of Delaware Parker of Jasper
H–3640	S.F.	345	Parker of Jasper
H–3641	S.F.	345	Lonergan of Boone Parker of Jasper
H–3642	S.F.	345	Parker of Jasper Renaud of Polk Black of Jasper
H–3643	S.F.	495	Welden of Hardin
H–3644	S.F.	495	Welden of Hardin
H–3647	S.F.	495	Welden of Hardin
H–3648	S.F.	495	McKean of Jones
H–3649	S.F.	495	Renaud of Polk Varn of Johnson Sherzan of Polk Woods of Polk
H–3650	S.F.	495	Harbor of Mills Schroeder of Pottawattamie Menke of O'Brien
H–3651	S.F.	166	Jay of Appanoose
H–3652	H.F.	613	Lonergan of Boone De Groot of Lyon
H–3653	S.F.	368	Blanshan of Greene

H–3654	S.F.	223	Chapman of Linn Hanson of Delaware Swearingen of Keokuk Jay of Appanoose
H–3655	S.F.	223	Swearingen of Keokuk Chapman of Linn Rosenberg of Story
H–3656	S.F.	223	Swearingen of Keokuk Chapman of Linn Rosenberg of Story Jay of Appanoose
H–3657	S.F.	223	Swearingen of Keokuk Chapman of Linn Jay of Appanoose
H–3658	S.F.	495	Chapman of Linn Miller of Woodbury
H–3659	S.F.	495	Harbor of Mills Schroeder of Pottawattamie Menke of O'Brien
H–3660	S.F.	495	Harbor of Mills Schroeder of Pottawattamie Menke of O'Brien
H–3661	S.F.	223	Chapman of Linn Swearingen of Keokuk Rosenberg of Story Hanson of Delaware
H–3662	S.F.	223	Chiodo of Polk
H–3663	S.F.	223	Chapman of Linn Swearingen of Keokuk Rosenberg of Story
H–3664	S.C.R.	13	Running of Linn
H–3665	S.F.	495	Parker of Jasper Chiodo of Polk
H–3666	S.F.	495	Groth of Buena Vista
H–3667	S.F.	495	Welden of Hardin
H–3668	S.F.	495	Schroeder of Pottawattamie
H–3669	S.F.	495	Schroeder of Pottawattamie
H–3670	S.F.	495	Rosenberg of Story Krewson of Polk
H–3671	S.F.	495	Jay of Appanoose
H–3672	S.F.	495	Jay of Appanoose McKean of Jones

H—3673	S.F.	368	Schroeder of Pottawattamie
H—3674	S.F.	495	Swartz of Marshall Parker of Jasper
H—3675	S.F.	495	Jay of Appanoose Varn of Johnson Schroeder of Pottawattamie Maulsby of Calhoun
H—3676	S.F.	452	Cooper of Lucas Woods of Polk

On motion by Norland of Worth, the House adjourned at 6:53 p.m., until 9:00 a.m., Tuesday, April 12, 1983.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day—Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 12, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Robert Fangman, pastor of the Sacred Heart Catholic Church, Manilla.

The Journal of Monday, April 11, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, Marshalltown.

PETITIONS FILED

The following petitions were received and placed on file:

By Connors of Polk, from sixty-five constituents opposing House File 564, which imposes a two percent tax increase on all wines and spirits.

By Menke of O'Brien, from fifty-six constituents of the 70th District opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

By Pavich of Pottawattamie, from fifty-five constituents opposing House File 564, increasing the tax on wines and spirits.

INTRODUCTION OF BILL

House File 617, by committee on appropriations, a bill for an act relating to reporting and investigation of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange and making an appropriation.

Read first time and referred to committee on **finance.**

SPONSORS ADDED
(Amendment H–3650 to Senate File 495)

Van Maanen of Mahaska requested to be added as a sponsor of amendment H–3650 to Senate File 495.

(Amendment H–3674 to Senate File 495)

Handorf of Marshall requested to be added as a sponsor of amendment H–3674 to Senate File 495.

HOUSE FILES 231 AND 612 WITHDRAWN

Jay of Appanoose asked and received unanimous consent to withdraw House Files 231 and 612 from further consideration by the House.

The House stood at ease at 9:18 a.m., until the fall of the gavel.

The House resumed session at 10:34 a.m., Speaker Avenson in the chair.

HOUSE CONCURRENT RESOLUTION 24
By Davitt, Van Camp, Cochran, Lloyd-Jones, Pavich, Woods, Pellett, Harbor and Branstad

Whereas, the trustee in bankruptcy for the Rock Island Railroad recommended that the bankruptcy court accept the bid of the Chicago Northwestern Railroad for the north-south spine line through Iowa and from Minneapolis-St. Paul to Kansas City; and

Whereas, the bankruptcy court must recognize and protect the interests of the creditors of the Rock Island Railroad by reviewing all bids submitted for abandoned Rock Island Railroad lines; and

Whereas, the failure to consider the impact of the sale of a segment of the Rock Island Railroad line without considering its impact on reducing the value of other segments of the Rock Island Railroad lines may be detrimental to the interests of the creditors of the Rock Island Railroad; and

Whereas, the loss of the east-west line is detrimental to the economic well-being of the citizens of this state and the creditors of the Rock Island Railroad; and

Whereas, the sale of the north-south spine line to the Chicago Northwestern Railroad will assure the

abandonment of much of the railroad and the possible demise of the Iowa Railway Company; and

Whereas, the Belmond-Iowa Falls segment of track was not included in the bids and the bids submitted by the Soo Line Railroad and the Chicago Northwestern Railroad were for different segments of railroad lines; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the general assembly

Page 2

requests the Interstate Commerce Commission to intervene with the bankruptcy court to seek review of the bids submitted to determine the course of action which is in the best interests of the Rock Island Railroad creditors, the citizens of Iowa, and the retention of competition in the rail transportation industry; and

Be It Further Resolved, That copies of this resolution be transmitted by the chief clerk of the house to the members of the Interstate Commerce Commission and to each member of Iowa's congressional delegation.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 10:35 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-five members present, fifteen absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sturgeon of Woodbury on request of O'Kane of Woodbury.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Jay of Appanoose offered amendment H–3591 filed by the committee on judiciary and law enforcement and requested division as follows:

H–3591

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

H–3591A

1. Page 14, by striking lines 15 through 18 and inserting in lieu thereof the words "judicial district."

H–3591B

2. Page 20, by striking lines 6 through 33 and inserting in lieu thereof the following:

"1. Justices of the supreme court, judges of the court of appeals, and district judges who are retired by reason of age or who are drawing benefits under section 602.2106, and senior judges who have retired under section 602.2207 or who have relinquished senior judgeship under section 602.2208, subsection 1, may with their consent be assigned by the supreme court to temporary judicial duties on a court in this state. A retired officer shall not be assigned to temporary judicial duties on any court superior to the highest court to which that officer had been appointed prior to retirement, and shall not be assigned for temporary duties with the supreme court or the court of appeals except in the case of a temporary absence of a member of one of those courts.

2. A retired justice or judge shall not engage in the practice of law unless the justice or judge files an election to practice law with the clerk of the supreme court. Upon electing to practice law, the person is ineligible for assignment to temporary judicial duties at any time.

3. While serving under temporary assignment, a

retired justice or judge shall be paid the compensation and expense reimbursement provided by law for justices or judges on the court to which assigned, but shall not receive annuity payments under the judicial retirement system."

H–3591C

3. Page 23, by striking lines 5 through 12 and inserting in lieu thereof the following:

"Sec. 2106. NEW SECTION. 602.2106 RETIREMENT. A person who becomes separated from service as a judge, and who has completed an aggregate of at least six years of service as a judge and has attained the age of sixty-five years, and who has otherwise qualified as provided in this article, is entitled to an annuity as provided in this article. However, a person who has not attained the age of sixty-five years is entitled to an annuity as provided in this article if, upon separation, the person has completed twenty-five years of consecutive service as a judge, with an aggregate of at least six years of service prior to July 1, 1983."

H–3591D

4. Page 38, by inserting after line 22 the following:

Page 2

H–3591D

"8. Willful or repeated violations of one or more of the provisions of this article."

H–3591E

5. Page 43, by striking lines 3 through 23 and inserting in lieu thereof the following:

"2. Rules and forms prescribed by the supreme court shall be reported by the court to the general assembly within twenty days after the commencement of a regular session. The rules and forms shall take effect July 1 following the date of submission, as modified by any changes that are enacted during the session, and conflicting law shall be of no further force or effect.

3. At adjournment of a session where rules and forms have been reported, an enrolled copy thereof, together with any changes, shall be made in substantially the same manner as acts of the general assembly are enrolled. The enrolled copy shall be certified as to the action, if any, taken by the

general assembly, and shall be filed with the secretary of state and bound with the acts of the general assembly."

H—3591F

6. Page 54, by inserting after line 25 the following:

" . In addition to the number of judgeships provided by paragraph a, b, c, d, or e, the election district in which the Iowa state penitentiary is located is entitled to one additional judgeship."

H—3591G

7. Page 54, lines 27 and 28, by striking the words "shall include juvenile court filings after July 1, 1985,".

H—3591H

8. Page 56, line 3, by striking the word "ninety-nine" and inserting in lieu thereof the word "ninety-six".

H—3591I

9. Page 65, by striking lines 10 through 15 and inserting in lieu thereof the words "commitments, and take bail."

10. Page 65, line 18, by striking the figures ", 5, 7, 8,".

H—3591J

11. By striking page 72, line 29 through page 73, line 9 and inserting in lieu thereof the following:

"2. The juvenile court judge may order that any case or class of cases arising under chapter 232 or chapter 600A be heard in the first instance by the referee in the manner provided for the hearing of cases by the court.

3. Upon the conclusion of a hearing held by a referee, the referee shall transmit findings of fact to the juvenile court judge. Notice of the findings of fact of the referee, together with a statement

Page 3

H—3591J

concerning the right to a rehearing, shall be given to the parties to the proceeding, including the parents, guardian, or custodian of a minor, and to any other interested person as the court directs.

This notice may be given orally at the hearing, or by certified mail or other service as directed by the court.

4. The parties to a proceeding heard by a referee are entitled to a rehearing by the judge of the juvenile court if requested within seven days after receiving notice of the findings of fact of the referee. In the interest of justice, the court may allow a rehearing at any time. If a rehearing is not requested, the court may enter an appropriate order based upon the referee's findings of fact."

H—3591K

12. Page 100, by striking lines 8 through 12.

H—3591L

13. By striking page 111, line 28 through page 112, line 18.

H—3591M

14. Page 138, line 8, by striking the figures "232.63, 232.124,".

15. Page 138, by striking lines 23 through 28.

16. Page 141, line 17, by striking the figure "1986" and inserting in lieu thereof the figure "1985".

17. Page 145, by striking lines 17 through 28.

18. Page 145, line 30, by striking the word and figures "January 1, 1985" and inserting in lieu thereof the word and figures "July 1, 1983".

19. Page 145, line 33, by striking the word and figures "January 1, 1985" and inserting in lieu thereof the word and figures "July 1, 1983".

20. Page 146, lines 13 and 14, by striking the word and figures "January 1, 1985" and inserting in lieu thereof the word and figures "July 1, 1983".

21. Page 146, line 17, by striking the word and figures "January 1, 1985" and inserting in lieu thereof the word and figures "July 1, 1983".

22. Page 146, line 21, by striking the figure "1988" and inserting in lieu thereof the figure "1986".

23. Page 146, line 22, by striking the figure "1990" and inserting in lieu thereof the figure "1988".

24. Page 146, line 23, by striking the figure "1992" and inserting in lieu thereof the figure "1990".

25. Page 146, line 27, by striking the word and figures "January 1, 1985" and inserting in lieu thereof the word and figures "July 1, 1983".

26. Page 146, line 31, by striking the figure

"1988" and inserting in lieu thereof the figure "1986".
27. Page 146, line 32, by striking the figure
"1990" and inserting in lieu thereof the figure "1988".
28. Page 146, line 33, by striking the figure

Page 4

H—3591M

"1992" and inserting in lieu thereof the figure "1990".

H—3591N

29. Page 147, by striking lines 2 through 5.

H—3591O

30. Page 147, by striking lines 8 through 12 and inserting in lieu thereof the following: "for the court, other than law enforcement services, immediately prior to the effective date of this Act, shall be employed by the district court administrators as court attendants under section 602.7601 on the effective date of this Act."

H—3591P

31. By striking page 147, line 13 through page 148, line 8.

H—3591

32. By renumbering as necessary.

The following amendment H—3687, to the committee amendment H—3591A, filed by Jay of Appanoose from the floor was adopted by unanimous consent:

H—3687

Amend amendment H—3591 to Senate File 495 as amended, passed and reprinted by the Senate as follows:
1. Page 1, by striking line 3 and inserting in lieu thereof the following:
"1. Page 14, by striking lines 12 through 15 and".

Jay of Appanoose asked and received unanimous consent to temporarily defer action on amendment H—3685, to the committee amendment H—3591.

Harbor of Mills offered the following amendment H—3650, to the committee amendment H—3591, filed by Harbor, et al.:

H—3650

Amend the amendment, H—3591, to Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 3 through 5 and inserting in lieu thereof the following:

"1. Page 2, line 7, by inserting after the word "state" the words ", provided that the clerks of the district court and their deputies and employees shall continue to be county employees".

2. Page 8, by striking lines 12 through 22, and inserting in lieu thereof the following:

"1. The office of clerk of the district court is an elective office as provided in section 39.17."

3. Page 11, by inserting after line 27 the following:

"9. A county shall pay the salaries, travel and other personal expenses, benefit costs, and all other personnel costs of the clerk of the district court, deputy clerks, and other persons employed in the office of the clerk of the district court."

4. Page 12, by striking lines 8 through 10 and inserting in lieu thereof the words "the department, except clerks of the district court and their deputies and employees. The supreme".

5. Page 14, by striking lines 12 through 28 and inserting in lieu thereof the following: "OFFICES. The salaries of the clerks of the district court and their deputies and employees shall be set as provided in chapter 331, division V, part 8."

6. Page 16, by inserting after line 4 the following:

"3. This section does not apply to clerks of the district court or their deputies or employees." "

2. Page 3, by inserting after line 15 the following:

" . Page 74, by striking lines 17 through 27, and inserting in lieu thereof the following: "OF THE DISTRICT COURT. The clerk of the district court shall be elected as provided in section 39.17. The clerk of the district court may employ deputies and other employees as provided in chapter 331, division V, part 8. The clerk of the district court and deputies and employees of the clerk of the district court are county employees, but are subject to administrative and supervisory control by the judicial department as provided by law." "

3. Page 3, by inserting after line 16 the following:

" . Page 103, line 9, by inserting after the word "department." the words "This subsection does

Page 2

not apply to the clerks of the district court or their deputies and employees."

. Page 103, by striking lines 22 through 28.

. Page 104, by striking lines 10 through 35.

. Page 105, by striking lines 9 through 22.

. Page 106, by striking lines 1 and 2 and inserting in lieu thereof the words "as follows: Of the office of the county auditor, by the clerk of the district court; of the clerk ~~or~~ of the district court by the state court administrator; of the county".

. Page 106, by striking lines 17 through 23."

4. Page 3, by inserting after line 18 the following:

" . By striking page 116, line 26 through page 117, line 3.

. Page 117, by striking lines 6 through 10.

. Page 118, by striking lines 13 and 14 and inserting in lieu thereof the words "cluding but not limited to salary and ~~expenses of~~ other personnel costs attributable to the clerk, deputy clerks, and other employees of the clerk's office,".

. Page 118, by striking lines 32 and 33.

. Page 120, by striking lines 17 and 18 and inserting in lieu thereof the following:

"Sec. 10076. Section 331.653, subsection 71, Code 1983, is amended by striking the subsection."

. By striking page 121, line 35 through page 123, line 22.

. Page 124, by striking lines 18 through 25.

. Page 124, line 32, by inserting after the word "employees," the words "and the clerks of the district court,".

. Page 133, line 23, by inserting after the word "jurors" the words "from funds appropriated by the general assembly to the supreme court for those purposes"."

5. Page 3, by inserting after line 21 the following:

" . By striking page 138, line 33 through page 139, line 7.

. Page 139, line 9, by striking the figure "1987" and inserting in lieu thereof the figure "1986".

. Page 139, line 11, by striking the figure "1987" and inserting in lieu thereof the figure "1986".

. Page 139, line 19, by striking the figure "1987" and inserting in lieu thereof the figure "1986".

. Page 139, line 20, by striking the figure "1987" and inserting in lieu thereof the figure "1986".

. Page 140, line 5, by striking the figure "1987" and inserting in lieu thereof the figure

Page 3

"1986"."

6. Page 3, by inserting after line 23 the following:

" . Page 142, by striking line 8.

. Page 144, by striking line 2."

The following amendment H—3691, to amendment H—3650, (to the committee amendment H—3591) filed by Harbor of Mills from the floor was adopted by unanimous consent:

H—3691

Amend amendment H—3650 to Senate File 495 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking line 25, and inserting in lieu thereof the following:

"5. Page 14, by striking lines 9 through 25 and".

Harbor of Mills moved the adoption of amendment H—3650, as amended, to amendment H—3591.

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

Rule 76 was invoked.

On the question "Shall amendment H—3650 be adopted?"

The ayes were, 53:

Anderson	Bennett	Branstad	Buhr
Chiodo	Cochran	Connors	Cooper
Copenhaver	Daggett	Davitt	De Groot
Diemer	Doderer	Fogarty	Grandia
Gruhn	Halvorson, R. A.	Hammond	Handorf
Harbor	Haverland	Hermann	Hoffmann-Bright
Hummel	Knapp	Koenigs	Lageschulte
Maulsby	McKean	Menke	Muhlbauer
Mullins	Oxley	Paulin	Pavich
Pellett	Poncy	Renken	Rensink
Royer	Schnekloth	Schroeder	Sherzan
Skow	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 46:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Carpenter	Carter
Chapman	Clark	Connolly	Corey
Fey	Groninga	Gronstal	Groth
Halvorson, R. N.	Hanson	Holveck	Hughes
Jay	Jochum	Krewson	Lloyd-Jones
Lonergan	McIntee	Miller	Norland
O'Kane	Ollie	Osterberg	Parker
Peick	Renaud	Rosenberg	Running
Shoultz	Spear	Sullivan	Swartz
Tabor	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 1:

Sturgeon

Amendment H—3650, as amended, was adopted.

Norland of Worth asked and received unanimous consent that Senate File 495 be deferred and placed on the unfinished business calendar.

Senate File 391, a bill for an act relating to the commission on professional and occupational regulation, with report of committee recommending amendment and passage was taken up for consideration.

Hammond of Story offered the following amendment H—3495 filed by the committee on state government and moved its adoption:

H—3495

Amend Senate File 391 as passed by the Senate, as follows:

1. Page 2, line 3, by inserting after the word "imposed." the words "Proposed changes in licensing laws, including changes in the scope of the practice or the authority of the licensing board, shall be submitted to the commission for its recommendations to the chairpersons and ranking members of the standing committees on state government of the general assembly."

The committee amendment H—3495 was adopted.

Hammond of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 391)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Mr. Speaker			

The nays were, 2:

Parker Zimmerman

Absent or not voting, 1:

Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 267, a bill for an act relating to the rule-making authority of the water, air and waste management commission and providing an effective date, with report of committee recommending passage was taken up for consideration.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 267)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Doderer	Fogarty	Shoultz	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 368, a bill for an act relating to the powers and duties of the department of water, air and waste management, with report of committee recommending amendment and passage was taken up for consideration.

Groth of Buena Vista offered the following amendment H–3562 filed by the committee on natural resources:

H–3562

Amend Senate File 368, as passed by the Senate, as follows:

1. Page 1, by striking line 17 and inserting in lieu thereof the following: "restrictive requirement. In addition, the commission shall include with its reasoning a financial impact statement detailing the general impact upon the affected parties. It is the intent of the general".

2. Page 4, by striking lines 16 through 24 and inserting in lieu thereof the following: "and private sewage disposal systems. A permit shall be issued for the construction, installation or modification of a public water supply distribution system or part of a system if a qualified, registered engineer certifies to the commission that the plans for the system or part of the system meet the requirements of state and federal law or regulations. The permit shall state that approval is based only upon the engineer's certification that the system's design meets the requirements of all applicable state and federal laws and regulations."

3. Page 13, by striking lines 12 through 15 and inserting in lieu thereof the following: "~~permits.~~ If there is competition for water, the use of water for irrigation has a lower priority than other beneficial uses of water subject to conditions which the commisson may establish by rule. Except as otherwise provided in this section, until the plan of water allocation".

Running of Linn in the chair at 3:16 p.m.

Schroeder of Pottaweattamie offered the following amendment H–3673, to the committee amendment H–3562, filed by him and moved its adoption:

H–3673

Amend the amendment, H–3562, to Senate File 368, as passed by the Senate, as follows:

1. Page 1, by striking lines 22 through 29.

Roll call was requested by Schroeder of Pottawattamie and Harbor of Mills.

On the question "Shall amendment H—3673 be adopted?"

The ayes were, 26:

Bennett	Branstad	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Harbor	Hoffmann-Bright	Hummel	Lageschulte
Maulsby	McIntee	Paulin	Renken
Rensink	Royer	Schnekloth	Schroeder
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 71:

Anderson	Arnould	Avenson	Baxter
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Hanson	Haverland	Hermann
Holveck	Hughes	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Pellett	Poncy	Renaud
Rosenberg	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Tabor	Tofte	Varn
Woods	Zimmerman	Mr. Speaker (Running)	

Absent or not voting, 3:

Carter	Jay	Sturgeon

Amendment H—3673 lost.

On motion by Groth of Buena Vista, the committee amendment H—3562 was adopted.

Welden of Hardin offered amendment H—3567 filed by him and requested division as follows:

H—3567

Amend Senate File 368 as follows:

H—3567A

1. Page 1, by striking lines 1 through 27.

H—3567B

2. Page 2, by striking lines 9 through 13 and inserting in lieu thereof the following:

"22. "Private sewage disposal system" means a system which provides for the treatment or disposal of domestic sewage from four or fewer dwelling units or the equivalent of less than sixteen individuals on a continuing basis."

H—3567C

3. Page 5, by striking lines 8 through 13 and inserting in lieu thereof the following: "pursuant to section 455B.173 subsections 6 to 9. ~~The reviewing engineer shall be a full-time employee of the governmental subdivision and the qualifications of that engineer shall be submitted to the executive director or his designee for approval prior to issuing written permits.~~ The local agency shall issue a written".

Welden of Hardin moved the adoption of amendment H—3567A.

Roll call was requested by Schroeder of Pottawattamie and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3567A be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Chiodo	Clark	Corey	Daggett
De Groot	Grandia	Halvorson, R. A.	Handorf
Harbor	Hoffmann-Bright	Hummel	Krewson
Lageschulte	Maulsby	McIntee	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 58:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Chapman	Cochran	Connors	Cooper
Copenhaver	Davitt	Diemer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Haverland	Hermann	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	McKean	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Sherzan	Skow	Spear	Stueland
Sullivan	Swartz	Tabor	Varn
Zimmerman	Mr. Speaker (Running)		

Absent or not voting, 6:

Carter	Connolly	Doderer	Shoultz
Sturgeon	Woods		

Amendment H—3567A lost.

The following amendment H—3692, to amendment H—3567B, filed by Groth of Buena Vista from the floor, was adopted by unanimous consent:

H—3692

Amend amendment H—3567 to page 1 of Senate File 368 as follows:

1. Page 1, line 9, by inserting after the word "basis" the following words ", which does not discharge into the waters of the state".

On motion by Welden of Hardin, amendment H—3567B, as amended, was adopted.

On motion by Welden of Hardin, amendment H—3567C was adopted.

Blanshan of Greene offered the following amendment H—3653 filed by him and moved its adoption:

H–3653

Amend Senate File 368 as follows:

1. Page 12, by striking lines 11 and 12, and inserting in lieu thereof the following: "Permits may be granted for any period of time not exceeding ten years except permits for the storage of water".

2. Page 12, by striking line 25, and inserting in lieu thereof the following: "department for any period of time not to exceed ten years."

Amendment H–3653 was adopted.

Hermann of Scott asked for unanimous consent to suspend Rule 31.8 to consider amendment H–3677.

Objection was raised.

Speaker Avenson in the chair at 3:50 p.m.

Schroeder of Pottawattamie moved to suspend Rule 31.8 to consider amendment H–3677 filed by Hermann of Scott from the floor as follows:

H–3677

Amend Senate File 368 as passed by the Senate, as follows:

1. Page 12, line 10, by inserting after the word "withdrawal." the following: "Action granting or denying a permit shall be completed within ninety days of receipt of a completed application by the department unless the department notifies the applicant that specific factors unique to the application necessitate additional time for investigation and action, but the additional time for investigation and action shall not exceed one hundred eighty days."

A non-record roll call was requested.

The ayes were 40, nays 42.

The motion lost.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 368)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Grandia	Maulsby

Absent or not voting, 2:

Carter	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 355, a bill for an act relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management, with report of committee recommending passage was taken up for consideration.

Groth of Buena Vista asked and received unanimous consent to temporarily defer action on Senate File 355.

Senate File 138, a bill for an act relating to the annual salary of

the deputy clerks of the district court in a county having two locations at which the district court is held, with report of committee recommending passage was taken up for consideration.

O'Kane 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. 138)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 1:

Hammond

Absent or not voting, 6:

Carter	Connors	Hoffmann-Bright	Mullins
Schroeder	Sturgeon		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 356, a bill for an act creating the Iowa department of public broadcasting and prescribing its powers and duties, with report of committee recommending passage was taken up for consideration.

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?" (S.F. 356)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Mr. Speaker		

The nays were, 3:

Maulsby	Pellett	Welden

Absent or not voting, 3:

Carter	Sturgeon	Zimmerman

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 145, a bill for an act requiring the state department of transportation to dispose of all right of way owned by the department and not needed for projects by July 1, 1992, with report of committee recommending amendment and passage was taken up for consideration.

Cochran of Webster offered the following amendment H—3257 filed by the committee on transportation and moved its adoption:

H—3257

Amend Senate File 145 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 6, by inserting after the word "projects." the words "In determining need, the department shall consider both its five-year program requirements and its long-range, state-wide corridor development needs. In determining need based upon long-range, state-wide corridor development, the department shall give careful consideration to economically depressed urban areas not served directly by the national system of interstate and defense highways."

The committee amendment H—3257 was adopted.

McIntee of Black Hawk asked and received unanimous consent to withdraw amendments H—3410 and H—3474 filed by McIntee, et al., on March 28, 1983 and March 30, 1983 respectively.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 145)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.

Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	Menke
Miller	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Gerpen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 5:

Corey	Krewson	McKean	Van Camp
Van Maanen			

Absent or not voting, 4:

Carter	Doderer	Muhlbauer	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 73, a bill for an act requiring the Iowa beer and liquor control department to hold a local public hearing when a state liquor store is established or discontinued, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 73 be deferred and placed on the calendar under unfinished business.

Senate File 399, a bill for an act relating to the status of the criminal and juvenile justice planning agency and its reporting procedures, with report of committee recommending passage was taken up for consideration.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 399)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Doderer	Maulsby	Muhlbauer	Sturgeon
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 225, a bill for an act to require the metering, inspection and testing, sealing, and licensing of pumps used to dispense liquefied petroleum gas, 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. 225)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer	Sturgeon	Zimmerman

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 281, a bill for an act relating to the requirement of notification of immunization of school children, with report of committee recommending passage was taken up for consideration.

Zimmerman 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?" (S.F. 281)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett

Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer	Sturgeon	Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 435, a bill for an act regulating fees and filing requirements of business entities, with report of committee recommending passage was taken up for consideration.

Swartz 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. 435)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad

Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Groninga	Lonergan	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate Joint Resolution 6 be deferred and placed on the calendar under unfinished business.

Senate File 239, a bill for an act relating to the simultaneous classification of the main and all laterals of a drainage district when a branch or lateral is improved, with report of committee recommending passage was taken up for consideration.

Fogarty of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 239)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Spear	Stromer
Stueland	Swartz	Tabor	Tofte
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 4:

Cochran	Maulsby	Skow	Sullivan

Absent or not voting, 4:

Groninga	Sturgeon	Swearingen	Van Gerpen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 349, a bill for an act relating to the definition of "criminal justice agency" and the dissemination of criminal history data, with report of committee recommending amendment and passage was taken up for consideration.

Brammer of Linn offered the following amendment H—3568 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3568

Amend Senate File 349 as passed by the Senate, as follows:

1. Page 1, line 4, by inserting after the word "entity" the word "wholly".

The committee amendment H—3568 was adopted, placing out of order amendment H—3521 filed by Rosenberg of Story on April 5, 1983.

Corey of Louisa asked and received unanimous consent to withdraw amendment H—3358 filed by him on March 23, 1983.

Brammer 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. 349)

The ayes were, 89:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	Menke	Miller
Muhlbauer	Mullins	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 7:

Chapman	Hammond	Krewson	McKean
O'Kane	Schroeder	Welden	

Absent or not voting, 4:

Gruhn	Koenigs	Norland	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 504, a bill for an act relating to the repeal or modification of statutes and rules affected by the proposed Iowa rules of evidence, with report of committee recommending passage was taken up for consideration.

McIntee of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 504)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen

Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Sturgeon	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 213, a bill for an act providing for the issuance of a single trip permit to transport a mobile home or factory-built structure on the highways of the state where the overall length of the mobile home or factory-built structure and the power unit does not exceed ninety-five feet, with report of committee recommending passage was taken up for consideration.

Miller of Woodbury asked and received unanimous consent to withdraw amendment H—3446 filed by him on March 29, 1983.

Koenigs of Mitchell moved that the bill be read a last time 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. 213)

The ayes were, 79:

Anderson	Arnould	Baxter	Bennett
Blanshan	Brammer	Branstad	Carl
Carpenter	Carter	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Hammond	Harbor	Haverland
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Miller	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Pavich	Peick	Pellett
Renaud	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen

Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 20:

Black	Buhr	Chapman	Grandia
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Hermann	Hummel	Knapp	Krewson
Maulsby	McKean	Menke	Mullins
Osterberg	Paulin	Poncy	Renken

Absent or not voting, 1:

Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 310, a bill for an act relating to the limitation on state bank investments in certain bonds or notes issued by the Iowa Family Farm Development Authority, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 310 be deferred and placed on the calendar under unfinished business.

Senate File 231, a bill for an act allowing sheriffs to provide abstracts of operating records, with report of committee recommending passage was taken up for consideration.

Fogarty of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 231)

The ayes were, 87:

Anderson	Arnould	Baxter	Bennett
Blanshan	Branstad	Buhr	Carl
Carpenter	Carter	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth

Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	Miller	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Gerpen	Van Maanen
Varn	Woods	Mr. Speaker	

The nays were, 10:

Black	Brammer	Chapman	Hummel
McKean	Menke	Mullins	Osterberg
Van Camp	Zimmerman		

Absent or not voting, 3:

Clark	Sturgeon	Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 42, a bill for an act to set the time for the harvesting of wild ginseng, 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. 42)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia

Groninga	Gronstal	Groth	Grühn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Buhr	Holveck	Maulsby

Absent or not voting, 2:

Schroeder	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 12 WITHDRAWN

Spear of Lee asked and received unanimous consent to withdraw House File 12 from further consideration by the House.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 434)

Halvorson of Webster asked and received unanimous consent to withdraw the motion to reconsider Senate File 434, a bill for an act relating to funds deposited by city utilities and combined utility systems and regional libraries, and providing an effective date upon publication, filed by him on April 8, 1983.

Senate File 369, a bill for an act to authorize the director of revenue to provide state tax returns and return information to the auditor of state for auditing purposes, with report of committee recommending passage was taken up for consideration.

Hammond of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 369)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Shoultz	Skow	Spear	Stromer
Stueland	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

Carter	Knapp	Poncy	Sherzan

Absent or not voting, 2:

Sturgeon	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 76, a bill for an act relating to the penalties for criminal mischief, with report of committee recommending passage was taken up for consideration.

Miller 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. 76)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Chiodo	Sturgeon

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 **Senate File 355,** a bill for an act relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management, with report of committee recommending amendment

and passage, previously deferred.

Groth of Buena Vista offered the following amendment H–3575 filed by the committee on natural resources:

H–3575

Amend Senate File 355, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 11 through 14 and inserting in lieu thereof the following:

"(1) The state's portion of the actual direct cost of reviewing applications, issuing permits and conditional permits, and checking compliance with the terms of the permits."

2. Page 1, by striking line 17, and inserting in lieu thereof the following: "and monitoring compliance.

It is the intention of the legislature that permit fees shall not cover any costs connected with correcting violation of the terms of any permit and shall not impose unreasonable costs on any municipality."

The House stood at ease at 4:53 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H–3575 to Senate File 355 at 5:03 p.m., Speaker Avenson in the chair.

Schroeder of Pottawattamie offered the following amendment H–3704, to the committee amendment H–3575, filed by him from the floor and moved its adoption:

H–3704

Amend amendment H–3575 to Senate File 355 as amended, passed and reprinted by the Senate as follows:

1. By inserting after line 2 the following:

"1. Page 1, line 5, by inserting after the word "permits." the words "A rule shall not be more restrictive than required by federal regulation unless the rule is approved by enactment of the general assembly. A rule which adopts a federal regulation which is subsequently revised by the federal government to become less restrictive does not adopt the less restrictive federal regulation unless the rule is

repromulgated by the department to do so. A rule shall not be adopted which exceeds federal regulations at the time of the rule's adoption."

A non-record roll call was requested.

The ayes were 30, nays 58.

Amendment H—3704 lost.

On motion by Groth of Buena Vista, the committee amendment H—3575 was adopted.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 355)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 1:

Grandia

Absent or not voting, 3:

Osterberg Sturgeon Tofte

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 450)

Rosenberg of Story called up for consideration the motion to reconsider Senate File 450, filed on April 8, 1983, and moved to reconsider the vote by which Senate File 450, a bill for an act relating to the registration fees for class "A" motor homes, passed the House and was placed on its last reading on April 8, 1983.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 46, nays 50.

The motion to reconsider lost, placing out of order the motion to reconsider filed by Woods of Polk on April 8, 1983.

MOTIONS TO RECONSIDER
(Senate File 356)

I move to reconsider the vote by which Senate File 356 passed the House on April 12, 1983.

SWARTZ of Marshall

(Senate File 368)

I move to reconsider the vote by which Senate File 368 passed the House on April 12, 1983.

HERMANN of Scott

(Senate File 399)

I move to reconsider the vote by which Senate File 399 passed the House on April 12, 1983.

SWARTZ of Marshall

(Senate File 435)

I move to reconsider the vote by which Senate File 435 passed the House on April 12, 1983.

SWARTZ of Marshall

(Amendment H—3650 (to amendment H—3591) to Senate File 495)

I move to reconsider the vote by which amendment H—3650 to amendment H—3591 to Senate File 495 was adopted by the House on April 12, 1983.

SCHROEDER of Pottawattamie

(Amendment H—3650 (to amendment H—3591) to Senate File 495)

I move to reconsider the vote by which amendment H—3650 to amendment H—3591 to Senate File 495 was adopted by the House on April 12, 1983.

HAVERLAND of Polk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty seventh and eighth grade students from Fonda High School, Fonda, accompanied by Jane Ellis. By Groth of Buena Vista.

Fifty-two sixth grade students from Britt Elementary School, Britt, accompanied by Mrs. Reta Klipping and Mrs. Violet Sankey. By Branstad of Winnebago and Stromer of Hancock.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 334 Ways and Means

Providing for the filing of a claim for a property tax exemption by certain nonprofit organizations only once without refiling a claim in subsequent years so long as the ownership of the property or use of the property remains unchanged, subject to a penalty provided by law.

S.B. 335 Ways and Means

Providing a statute of limitations on claiming a refund or credit due to the carryback of a net operating loss or net capital loss and making the Act retroactive.

AMENDMENTS FILED

H–3678	S.F. 495	Schroeder of Pottawattamie
H–3679	S.F. 495	Handorf of Marshall Renken of Grundy Swartz of Marshall Anderson of Audubon Branstad of Winnebago Royer of Page
H–3680	S.F. 495	Connors of Polk
H–3681	S.F. 495	Tabor of Jackson
H–3682	S.F. 495	Maulsby of Calhoun Handorf of Marshall Van Maanen of Mahaska
H–3683	S.F. 495	Doderer of Johnson Welden of Hardin
H–3684	S.F. 495	Spear of Lee
H–3685	S.F. 495	Jay of Appanoose Swartz of Marshall
H–3686	S.F. 495	Doderer of Johnson
H–3688	S.F. 495	Tabor of Jackson
H–3689	S.F. 495	McIntee of Black Hawk Parker of Jasper

H—3690	S.F.	495	Holveck of Polk
H—3693	S.F.	223	Chiodo of Polk
H—3694	S.F.	493	Schroeder of Pottawattamie
H—3695	S.F.	223	Welden of Hardin
H—3696	S.F.	223	Welden of Hardin Stromer of Hancock
H—3697	S.F.	495	Schroeder of Pottawattamie
H—3698	S.F.	420	Miller of Woodbury
H—3699	S.F.	223	Hanson of Delaware Krewson of Polk Schnekloth of Scott Rosenberg of Story
H—3700	S.F.	448	Shoultz of Black Hawk
H—3701	S.F.	391	Spear of Lee
H—3702	S.F.	223	Swearingen of Keokuk Chapman of Linn Jay of Appanoose
H—3703	S.F.	448	Shoultz of Black Hawk
H—3705	S.F.	495	Schroeder of Pottawattamie
H—3706	S.C.R.	13	Sherzan of Polk Running of Linn Parker of Jasper Woods of Polk Renaud of Polk Peick of Linn
H—3707	S.F.	223	Swartz of Marshall Parker of Jasper
H—3708	S.F.	223	Varn of Johnson Parker of Jasper Fey of Scott

On motion by Norland of Worth, the House adjourned at 5:38 p.m., until 9:00 a.m., Wednesday, April 13, 1983.

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day—Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 13, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Fran De Jong, Chaplain, Central College, Pella.

The Journal of Tuesday, April 12, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hubiak, Odebolt.

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, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 37, a bill for an act relating to the use of polygraph examinations as a condition of employment and providing a penalty.

Also: That the Senate has on April 11, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 135, a bill for an act establishing time limits for obligations of distributors relating to the pickup of beverage containers.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 199, a bill for an act to provide that a person who is required by a soil conservation district to institute soil and water conservation practices or erosion control practices may be required to submit to the district three bids from contractors.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 201, a bill for an act to delete a requirement that claims against a county be verified by the signature of the claimant.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 242, a bill for an act relating to the cancellation of outstanding warrants.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 243, a bill for an act repealing the requirement to file a certificate of the county treasurer of payment of personal property taxes due on the estate of a decedent.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 278, a bill for an act defining the role of an auctioneer in selling real property without needing a real estate license.

Also: That the Senate has on April 11, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 315, a bill for an act to increase the jurisdictional amount of small claims to two thousand dollars and to increase the small claims docket fee.

Also: That the Senate has on April 11, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 317, a bill for an act relating to the licensing of public school boards for the purpose of conducting gambling activities.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 344, a bill for an act relating to the requirement that school districts maintain twelve grades and to provide for tuition payments by those districts not maintaining twelve grades.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 358, a bill for an act relating to the membership of a county enterprise commission.

Also: That the Senate has on April 11, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 448, a bill for an act providing for the regulation of residential maintenance service companies by the commissioner of insurance, and providing penalties.

Also: That the Senate has on April 11, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 528, a bill for an act relating to the revision of the juvenile victim restitution program.

Also: That the Senate has on April 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 533, a bill for an act relating to the acceptance and use by cities of federal assistance for economic development projects.

Also: That the Senate has on April 11, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 592, a bill for an act relating to securities exempt from registration under the Iowa uniform securities Act.

Also: That the Senate has on April 11, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 25, paying tribute to Frank T. Nye.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 25

By Junkins, Hultman, Horn, Hall, Wells, Priebe, Gallagher, Anderson, Briles, Brown, Bruner, Carr, Coleman, Colton, Deluhery, Dieleman, Doyle, Drake, Gentleman, Gettings, Goodwin, Gratias, Hester, Holden, Holt, Hulse, Husak, Hutchins, Jensen, Kinley, Lind, Lura, Mann, Miller of Cerro Gordo, Miller of Des Moines, Nystrom, Palmer, Readinger, Rife, Ritsema, Rodgers, Schwengels, Slater, Small, Taylor, Tieden, Vande Hoef, Van Gilst, Waldstein and Welsh

Whereas, Frank T. Nye, whose journalism career spanned forty-four years, a majority of which were concerned with covering government affairs and specifically the Iowa General Assembly, passed away on March 26, 1983; and

Whereas, Frank T. Nye earned many journalistic and civic awards and was honored by the Iowa House of Representatives and the Iowa Senate; and

Whereas, Frank T. Nye possessed a unique ability to be extraordinarily objective and strived throughout his journalistic career to establish fair and equal government for the people of the state of Iowa; and

Whereas, Frank T. Nye is recognized by past and present members of the Iowa General Assembly and many citizens of this state as the primary initiator of

Page 2

fair reapportionment procedures for the Iowa General Assembly which reapportiohment procedures have been praised by journalists and reapportionment authorities throughout this nation; and

Whereas, Frank T. Nye's dedication to creating modern and effective legislative procedures is reflected by his service on the 1967-1969 Legislative Processes Advisory Committee, a committee charged with making recommendations for improved Iowa legislative procedures, which recommendations were adopted almost in total and which procedures presently provide the base for many of the Iowa General Assembly's procedures; and

Whereas, the Iowa Legislative Council recognizing the unique personality of Frank T. Nye and his ability to convey astute and sound advice relating to legislative procedures selected Frank T. Nye as the keynote speaker for the legislative orientation program for the new members of the 1983-1984 Iowa General Assembly; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That tribute be paid to Frank T. Nye and his memory and that Frank T. Nye, a true friend of the Iowa General Assembly, be recognized for the contributions he made to fair and modern legislative procedures; and

Be It Further Resolved, That copies of this resolution be forwarded to Frank T. Nye's daughters, Linda Poulos, Mrs. John Hoover, and Deborah Nye.

Laid over under Rule 25.

AMENDMENT WITHDRAWN
(Amendment H—3701 to Senate File 391)

Spear of Lee asked and received unanimous consent to withdraw amendment H—3701 to Senate File 391 filed by him on April 12, 1983.

On motion by Norland of Worth, the House was recessed at 9:23 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brammer of Linn, for the afternoon session, on request of Ollie of Clinton.

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 12, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 312, a bill for an act relating to public utilities and providing civil penalties.

K. MARIE THAYER, Secretary

The House stood at ease at 1:25 p.m., until the fall of the gavel.

The House resumed session at 2:20 p.m., Speaker Avenson in the chair.

SENATE FILES 495 AND 73 DEFERRED

Norland of Worth asked and received unanimous consent that Senate Files 495 and 73 be deferred and that the bills retain their place on the unfinished business calendar.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 223, a bill for an act increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program, with report of committee recommending amendment and passage was taken up for consideration.

Chiodo of Polk offered the following amendment H–3578 filed by the committee on small business and commerce:

H–3578

Amend Senate File 223 as passed by the Senate, as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 220.1, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 29. "Mortgage-backed security" means a security issued by the authority which is secured by residential mortgage loans owned by the authority.

NEW SUBSECTION. 30. "Residential mortgage interest reduction program" means the program for buying-down interest rates on residential mortgage loans pursuant to sections 220.81 through 220.84.

NEW SUBSECTION. 31. "Residential mortgage loan" means a financial obligation secured by a mortgage on a single-family or two-family home.

NEW SUBSECTION. 32. "Residential mortgage marketing program" means the program for buying and selling residential mortgage loans and the selling of mortgage-backed securities pursuant to sections 220.71 through 220.73.

Sec. 2. Section 220.10, subsection 1, Code 1983, is amended to read as follows:

1. All moneys declared by the authority to be surplus moneys which are not required to service bonds and notes issued by the authority, to pay administrative expenses of the authority, or to accumulate necessary operating or loss reserves, shall be used by the authority to pay administrative expenses of or provide loans to the Iowa family farm development authority in connection with the programs authorized in the Iowa family farm development Act, ~~or~~ to provide grants, subsidies, and services to lower income families and very low income families through any of the programs authorized in this chapter, or to provide funds for the residential mortgage interest reduction program established pursuant to section 220.81."

2. Page 2, by inserting after line 5 the following:

"Sec. . NEW SECTION. 220.71 RESIDENTIAL MORTGAGE MARKETING PROGRAM. The authority shall establish a program to assist lenders to sell residential mortgage loans in the organized and unorganized secondary mortgage market. The authority may issue taxable and tax-exempt bonds and notes. The proceeds of the bonds shall be used to purchase residential mortgage loans from lenders. The bonds and notes are a portion of the total principal amount of bonds and notes of the authority which may be

Page 2

outstanding at any time pursuant to section 220.26, subsection 1. Bonds and notes issued under this section are subject to all provisions of this chapter relating to the issuance of bonds.

Sec. . NEW SECTION. 220.72 POWERS.

1. The authority may purchase, and make advance commitments to purchase, residential mortgage loans from mortgage lenders at prices and upon terms and conditions it determines subject to this section. However, the total purchase price for all residential mortgage loans which the authority commits to purchase from a mortgage lender at any one time shall not exceed the total of the unpaid principal balances of the residential mortgage loans purchased. Mortgage lenders are authorized to sell residential mortgage loans to the authority in accordance with this section and the rules of the authority. The authority may charge a mortgage lender a commitment fee or other fees as set by rule as a condition for the authority purchasing residential mortgage loans.

2. The authority may sell or make advanced commitments to sell residential mortgage loans in the organized or unorganized secondary mortgage market. The authority may issue and sell securities that are secured by residential mortgage loans held by the authority. The authority may aggregate the residential mortgage loans sold in the secondary market or used as security on the mortgage-backed securities. The amount of mortgage-backed securities sold shall not exceed principal of the mortgages retained by the authority as security.

3. The authority may require as a condition of purchase of a residential mortgage loan from a mortgage lender that the mortgage lender represent and warrant to the authority that:

a. The unpaid principal balance of the residential mortgage loan and the interest rate on it have been accurately stated to the authority.

b. The amount of the unpaid principal balance is justly due and owing.

c. The mortgage lender has no notice of the existence of a counterclaim, offset, or defense asserted by the mortgagor or the mortgagor's successor in interest.

d. The residential mortgage loan is evidenced by a bond or promissory note and a mortgage which has been properly recorded with the appropriate public official.

e. The mortgage constitutes a valid first lien on the real property described in the mortgage to

Page 3

the authority subject only to real property taxes not yet due, installments of assessments not yet due, and easements and restrictions of record which do not adversely affect, to a material degree, the use or value of the real property or improvements on it.

f. The mortgagor is not now in default in the payment of an installment of principal or interest, escrow funds, real property taxes, or otherwise in the performance of obligations under the mortgage documents and has not to the knowledge of the mortgage lender been in default in the performance of an obligation under the mortgage for a period of longer than sixty days during the life of the mortgage.

g. The improvements to the mortgaged real property are covered by a valid and subsisting policy of insurance issued by a company authorized to issue policies in this state and providing fire and extended coverage in amounts as the authority prescribes by rule.

h. The residential mortgage loan meets the prevailing investment quality standards for residential mortgage loans in this state.

Sec. . NEW SECTION. 220.73 RULES. The authority shall adopt rules pursuant to chapter 17A relating to the purchase and sale of residential mortgage loans and the sale of mortgage-backed securities. The rules shall provide at least for the following:

1. Procedures for the submission by mortgage lenders to the authority of offers to sell mortgage loans.

2. Standards for allocating bond proceeds among mortgage lenders offering to sell mortgage loans to the authority.

3. Standards for determining the aggregate principal amount of mortgage loans to be purchased from each mortgage lender and the purchase price.

4. Schedules of fees and charges to be imposed by the authority.

5. Procedures for issuing mortgage-backed securities.

Sec. . NEW SECTION. 220.81 RESIDENTIAL MORTGAGE INTEREST REDUCTION PROGRAM.

a. The authority shall initiate a residential mortgage interest reduction program to reduce interest costs on a residential mortgage loan for the acquisition of a residential single-family dwelling to be occupied by the owner of that dwelling, or a two-family dwelling where the owner will occupy one of the units. The authority shall adopt rules

Page 4

establishing the maximum purchase price limitation for participation in the residential mortgage interest reduction program. These rules shall not establish a maximum purchase price exceeding those established by chapter 103A, Internal Revenue Code of 1954, as amended, and the rules adopted under that chapter. The authority may provide for the reduction in interest costs by making an interest reduction payment to a mortgage lender by combining loans financed through apropriations, moneys declared to be surplus as provided in section 220.10, subsection 1, from proceeds from taxable and tax-exempt bonds and notes, or moneys obtained from grants, gifts, bequests, contributions, and other uncommitted funds, or by the application of these funds to other loans. In reducing the interest costs, the authority may use the specified funds to buy down the principal amount of the loan by any means not prohibited by the constitution or laws of this state. The bonds and notes are a portion of the total principal amount of bonds and notes of the authority which may be outstanding at any time pursuant to section 220.26, subsection 1. Bonds and notes issued under this section are subject to all provisions of this chapter relating to the issuance of bonds.

b. The amount of the interest reduction payment over the term of the reduction period shall be not less than three percent of the amount of the loan nor more than five percent of the amount of the loan.

c. The period of interest reduction on a residential dwelling shall not exceed five years for the same borrower. The interest reduction shall be graduated. The amount of the reduction shall be decreased annually in five equal increments so that at the end of the five-year period of interest reduction the interest rate on the loan will be equal to the interest rate that would have been on the loan if no interest reduction had been made.

Sec. . NEW SECTION. 220.82 LIEN. The authority shall file a lien on the property for which an interest reduction payment is made in the amount of the payment. The lien shall be filed in the recorder's office of the county in which the property is located.

Sec. . NEW SECTION. 220.83 RECAPTURE OF INTEREST REDUCTION PAYMENT.

1. A mortgagor shall repay the authority the lesser of the amount of interest reduction payment actually paid by the authority on behalf of the mortgagor or fifty percent of the net appreciation

Page 5

of the property. The term "net appreciation of the property" as used in this section means an increase in the value of the property over the purchase price less the reasonable costs of sale and the reasonable costs of improvements made to the property.

2. Repayment shall be made when any of the following occur:

a. The mortgagor sells or otherwise transfers the property. However, repayment is not required if the transfer is to the surviving spouse of the mortgagor upon the mortgagor's death.

b. The mortgagor rents the property for more than twelve months.

c. The mortgagor requests the authority to release the lien on the property.

d. The mortgage lender files a court action to foreclose on the mortgage. However, the authority may abate payment pending the outcome of the foreclosure action.

Sec. . NEW SECTION. 220.84 RULES. The authority shall adopt rules pursuant to chapter 17A for the administration of the residential mortgage interest reduction program. The rules shall include, but are not limited to, the following:

1. Standards for eligibility of a mortgagor including a minimum down payment or interest in the property.

2. Standards for the eligibility of the property.

3. Procedures for application to participate in the program.

4. Procedures for payment of the interest reduction payment to the mortgage lender or mortgage investor.

5. Standards for determining the amount of interest reduction that will be approved.

6. Schedules of fees and charges to be imposed by the authority.

Sec. . Section 515.48, Code 1983, is amended by adding the following new subsection following subsection 9 and renumbering the remaining subsection:

NEW SUBSECTION. Insure against loss or damage by reason of defects in or liens or encumbrances on the title of real property, or the unmarketability of the title to real property, or the invalidity or unenforceability of liens or encumbrances upon real property, to the extent permitted by, and subject to, rules adopted by the commissioner. However, the insurance shall not be issued on real estate of ten acres or more which will be primarily used for agricultural production purposes by the owner of the property if the owner would be protected by the policy.

Page 6

The commissioner shall adopt rules regulating title insurance in this state. The rules shall include but need not be limited to the following provisions:

a. Minimum capital requirements for title insurers.

b. Annual report requirements.

c. Regulation of premium charges pursuant to section 515.150.

d. Minimum requirements for the establishment and maintenance of reserves, including unearned premium reserves.

e. Maximum limitations on retained liability.

f. Conditions of licensing of agents.

g. Investment of capital and other funds of the insurer.

h. Approval of policy forms.

i. A requirement that the title insurer have the abstract of title for the insured property brought up to the date of the insurance policy and certified up to that date and that the abstract be delivered to the owner or the party designated by the owner.

Sec. . Section 515.48, subsection 10, Code 1983, is amended to read as follows:

10. Insure any additional risk not specifically included within any of the foregoing classes, which is a proper subject for insurance, is not prohibited by law or contrary to sound public policy, and which, after public notice and hearing, is specifically approved by the commissioner of insurance~~, except title insurance or insurance against loss or damage by reason of defective title, encumbrances or otherwise~~. When ~~such~~ the additional kind of insurance is approved by the commissioner, ~~he~~ the commissioner shall designate within which classification of risks provided for in section 515.49 it shall fall.

Sec. . NEW SECTION. 515.150 TITLE INSURANCE RATES.

1. Title insurance rates shall be set so that:

a. Rates are not excessive, inadequate, or unfairly discriminatory.

b. Due consideration is given to past and prospective loss experience within and outside Iowa; to a reasonable margin for underwriting profit and contingencies; to dividends, savings, or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members, or subscribers; to past and prospective expenses both within and outside Iowa; and to other relevant factors.

c. The systems of expense provisions included in the rates for use by an insurer or group of insurers may differ from those of other insurers or groups

Page 7

of insurers to reflect the requirements of the operating methods of the insurer or group of insurers with respect to any kind of insurance, or with respect to a subdivision or a combination of insurers for which separate expense provisions are applicable.

2. Except to the extent necessary to comply with subsection 1, paragraph a, uniformity among insurers in a matter within the scope of this section is neither required nor prohibited.

3. An insurer shall file with the commissioner all manuals, minimum or class rates, rating schedules, or rating plans, and every other rating rule, and every modification of a rate, schedule, plan, or rule which it proposes to use. A filing shall state the proposed effective date of the filing and indicate the character and extent of the coverage contemplated.

4. The commissioner shall review filings as soon as reasonably possible after the filings are made to determine whether they meet the requirements of this section.

5. A filing shall be on file for a waiting period of fifteen days before it becomes effective. The waiting period may be extended by the commissioner for an additional period, not to exceed fifteen days, if the commissioner gives written notice to the insurer which made the filing within the waiting period that the commissioner needs the additional time for the consideration of the filing. Upon written application by the insurer, the commissioner may authorize a filing which the commissioner has reviewed to become effective before the expiration of the waiting period or an extension of the waiting period. A filing shall be deemed to meet the requirements of this section unless disapproved by the commissioner within thirty days of receipt of the filing by the commissioner.

6. Upon the written application of the insured, stating reasons, filed with and approved by the commissioner, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

7. An insurer shall not make or issue a contract or policy except in accordance with the filings which are in effect for the insurer as provided in this section.

8. If within the waiting period or any extension of the waiting period the commissioner finds that a filing does not meet the requirements of this section, then the commissioner shall send to the insurer which made the filing a written notice of disapproval of the filing. The notice shall specify

Page 8

the reasons the filing fails to meet the requirements of this section and state that the filing shall not become effective. In addition, the notice shall comply with section 17A.12.

When a filing is not accompanied by the information with which the insurer supports the filing, and the commissioner is unable to determine whether the filing meets the requirements of this chapter, the commissioner shall require the insurer to furnish the supporting information and in that event the waiting period shall commence as of the date the information is furnished. The information furnished in support of a filing may include:

a. The experience or judgment of the insurer making the filing.

b. The interpretation of the insurer making the filing of any statistical data upon which the insurer relies.

c. The experience of other insurers.

d. Other relevant information.

A filing and the supporting information is open to public inspection after the filing becomes effective.

9. If at any time subsequent to the waiting period the commissioner determines that there are questions as to whether a filing meets the requirements of this section, the commissioner shall send a written notice to the insurer which made the filing that a hearing will be held to review the filing. The hearing shall be held not less than ten days after the date of mailing the notice. The notice and hearing shall comply with sections 17A.12 and 17A.13. If after the hearing the commissioner finds that the filing does not meet the requirements of this section, then the decision issued pursuant to sections 17A.15 and 17A.16 shall state when the filing shall be deemed to be no longer effective. The decision shall not affect a contract or policy made or issued prior to the date when the filing is deemed to be no longer effective.

10. A person alleging to be aggrieved with respect to a filing which is in effect may make written application to the commissioner for a hearing on the filing. The application shall specify the grounds to be relied upon by the applicant. The application must show that the person making the application has a specific economic interest affected by the filing. The commissioner shall hold a hearing upon finding that the application is made in good faith, that the applicant has a specific economic interest, that the applicant would be so aggrieved if the applicant's

grounds are established, and that the grounds otherwise justify holding a hearing. The commissioner shall send the applicant and the insurer a notice of the hearing, which shall be held not less than ten days from the date of mailing the notice and not more than thirty days from the date the commissioner receives the application.

If after the hearing the commissioner finds that the filing does not meet the requirements of this section, then the decision issued pursuant to section 17A.15 shall specify in what respects the commissioner finds that the filing fails to meet the requirements of this section, and shall state when the filing shall be deemed to be no longer effective. The decision shall not affect a contract or policy made or issued prior to the date when the filing is deemed to be no longer effective.

11. A filing shall not be disapproved if the rates contained in the filing meet the requirements of this section.

Sec. . Section 535.8, subsection 2, paragraph a, Code 1983, is amended by striking the paragraph and inserting in lieu thereof the following:

a. A lender may collect, in connection with a loan made pursuant to a written agreement executed by the borrower on or after the effective date of this Act, or in connection with a loan made pursuant to a written commitment by the lender mailed or delivered to the borrower on or after that date, a loan processing fee which does not exceed two percent of an amount which is equal to the loan principal; except that to the extent of an assumption by a new borrower of the obligation to make payments under a prior loan, or to the extent that the loan principal is used to refinance a prior loan between the same borrower and the same lender, the lender may collect a loan processing fee which does not exceed an amount which is a reasonable estimate of the expenses of processing the loan assumption or refinancing but which does not exceed one percent of the unpaid balance of the loan that is assumed or refinanced. In addition, a lender may collect from a borrower, a seller of property, another lender, or any other person, or from any combination of these persons, in contemplation of or in connection with a loan, a commitment fee, closing fee, or both, that is agreed to in writing by the lender and the persons from whom the charges are to be collected. A loan fee collected under this paragraph is compensation to the lender solely for the use of money, notwithstanding any

Page 10

provision of the agreement to the contrary. However, a loan fee collected under this paragraph shall be disregarded for purposes of determining the maximum charge permitted by section 535.2 or 535.9, subsection 2. The collection in connection with a loan of a loan origination fee, closing fee, commitment fee, or similar charge is prohibited other than expressly authorized by this paragraph or a payment reduction fee authorized by subsection 6.

Sec. . Section 535.8, subsection 2, paragraph b, subparagraph (4), Code 1983, is amended to read as follows:

(4) ~~Abstracting~~ Title insurance premiums and abstracting fees paid to a third party, or when the abstracting is performed by the lender, a fee which is a reasonable estimate of the expense incurred by the lender in performing the abstracting.

Sec. . Section 535.8, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 6. A lender who offers to make a loan with only those fees authorized by subsection 2 may also offer in exchange for the payment of an interest reduction fee to make a loan on all of the same terms except at a lower interest rate and with the lower payments resulting from the lower interest rate. Prior to accepting an application for a loan which includes a payment reduction fee, the lender shall provide the potential borrower with a written disclosure describing in plain language the specific terms which the loan would have both with the payment reduction fee and without it. This disclosure shall include a good faith example showing the amount of the payment reduction fee and the reduction in payments which would result from the payment of this fee in a typical loan transaction. A payment reduction fee which complies with this subsection may be collected in connection with a loan in addition to the fees authorized by subsection 2.

Sec. . Section 536A.20, Code 1983, is amended to read as follows:

536A.20 REAL ESTATE LOANS.

1. A licensed industrial loan company may make permanent loans, construction loans, or combined construction and permanent loans, secured by liens on real property, as authorized by rules adopted by the auditor under chapter 17A. These rules shall contain provisions as necessary to insure the safety and soundness of these loans, and to insure full and fair disclosure to borrowers of the effects of provisions in agreements for these loans, including

provisions permitting change or adjustment of any terms of a loan, provisions permitting, requiring, or prohibiting repayment of a loan on a basis other than of equal periodic installments of interest plus principal over a fixed term, provisions imposing penalties for the borrower's noncompliance with requirements of a loan agreement, or provisions allowing or requiring a borrower to choose from alternative courses of action at any time during the effectiveness of a loan agreement.

2. A licensed industrial loan company may ~~include in the loan documents signed by the borrower a provision requiring the borrower to pay the company each month in addition to interest and principal under the note an amount equal to one-twelfth of the estimated annual real estate taxes, special assessments, hazard insurance premium, mortgage insurance premium, or any other payment agreed to by the borrower and the company in order to better secure the loan~~ require and establish escrow accounts in connection with subsection 3. ~~The company shall be deemed to be acting in a fiduciary capacity with respect to these funds. A company receiving funds in escrow pursuant to an escrow agreement executed on or after July 1, 1982 in connection with a loan as defined in section 535.8, subsection 1, shall pay interest to the borrower on those funds, calculated on a daily basis, at the lowest rate the company pays to holders of thrift certificates issued by the company. If the company does not issue thrift certificates as defined in section 536B.2, the company shall pay an interest rate which represents the average of the lowest rates paid on thrift certificates by companies required to be members of the industrial loan thrift guaranty corporation under chapter 536B. This rate shall be determined by the auditor of state as of December 31 and June 30 of each year, and the auditor of state shall cause the rate to be published in the Iowa administrative bulletin within twenty days following the date of determination. The rate so determined shall apply from the date of publication of the rate and until a different rate is published. A company which maintains an escrow account in connection with a loan authorized by this section, whether or not the mortgage has been assigned to a third person, shall each year deliver to the mortgagor a written annual accounting of all transactions made with respect to the loan and escrow account.~~

Sec. . Section 536A.20, Code 1983, is amended by adding the following new subsection as subsection

Page 12

3:

NEW SUBSECTION. 3. A licensed industrial loan company may act as an escrow agent with respect to real property that is mortgaged to the licensed industrial loan company, and may receive funds and make disbursements from escrowed funds in that capacity. The licensed industrial loan company shall be deemed to be acting in a fiduciary capacity with respect to these funds. A licensed industrial loan company which maintains such an escrow account, whether or not the mortgage has been assigned to a third person, shall deliver to the mortgagor a written summary of all transactions made with respect to the loan and escrow accounts during each calendar year. However, the mortgagor and mortgagee may, by mutual agreement, select a fiscal year reporting period other than the calendar year.

The summary shall be delivered or mailed not later than thirty days following the year to which the disclosure relates. The summary shall contain all of the following information:

1. The name and address of the mortgagee.

2. The name and address of the mortgagor.

3. A summary of escrow account activity during the year as follows:

a. The balance of the escrow account at the beginning of the year.

b. The aggregate amount of deposits to the escrow account during the year.

c. The aggregate amount of withdrawals from the escrow account for each of the following categories:

(1) Payments against loan principal.

(2) Payments against interest.

(3) Payments against real estate taxes.

(4) Payments for real property insurance premiums.

(5) All other withdrawals.

d. The balance of the escrow account at the end of the year.

4. A summary of loan principal for the year as follows:

a. The amount of principal outstanding at the beginning of the year.

b. The aggregate amount of payments against principal during the year.

c. The amount of principal outstanding at the end of the year.

Sec. . Section 537.1301, subsection 14, paragraph a, subparagraph (5), Code 1983, is amended to read as follows:

(5) ~~Either the~~ The amount financed does not exceed

Page 13

twenty-five thousand dollars~~, or the debt is secured by an interest in land~~.

Sec. . Section 537.1302, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. "Mortgage lender" means a domestic or foreign corporation authorized in this state to make loans secured by mortgages or deeds of trust.

Sec. . Section 537.2401, subsection 1, Code 1983, is amended to read as follows:

1. Except as provided with respect to a finance charge for loans pursuant to open end credit under section 537.2402, a lender may contract for and receive a finance charge not exceeding the maximum charge permitted by the laws of this state or of the United States for similar lenders, and, in addition, with respect to a consumer loan, a supervised financial organization or a mortgage lender may contract for and receive a finance charge, calculated according to the actuarial method, not exceeding twenty-one percent per year on the unpaid balance of the amount financed. This subsection does not prohibit a lender from contracting for and receiving a finance charge exceeding twenty-one percent per year on the unpaid balance of the amount financed on consumer loans if authorized by other provisions of the law.

Sec. . The commissioner of insurance shall adopt the rules required by section 1 of this Act and make them effective on or before January 1, 1984.

Sec. . There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the Iowa housing finance authority the amount of three million (3,000,000) dollars to be used to fund the program to reduce interest costs to be paid on loans established in section 220.81."

3. Title page, by striking lines 1 through 3 and inserting in lieu thereof the following: "An Act relating to real property loans by increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program, creating residential mortgage marketing and interest reduction programs, authorizing title insurance, loan processing fees, and payment reduction fees, and making an appropriation."

4. Renumber as necessary.

Welden of Hardin offered the following amendment H–3695, to the committee amendment H–3578, filed by him and moved its adoption:

H–3695

Amend House amendment, H–3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 1, by striking lines 7 through 10.
2. Page 1, by striking lines 18 through 22.
3. Page 1, by striking lines 41 through 50.
4. Page 2, by striking lines 1 through 50.
5. Page 3, by striking lines 1 through 41.
6. Page 13, line 42, by striking the words "residential mortgage marketing".
7. Renumber as necessary.

Amendment H–3695 lost.

Welden of Hardin offered the following amendment H–3696, to the committee amendment H–3578, filed by him and Stromer of Hancock and moved its adoption:

H–3696

Amend House amendment H–3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 1, by striking lines 11 through 14.
2. Page 1, by striking lines 23 through 39.
3. Page 3, by striking lines 42 through 50.
4. Page 4, by striking lines 1 through 50.
5. Page 5, by striking lines 1 through 36.
6. Page 13, by striking lines 29 through 35.
7. Page 13, line 42, by striking the words "interest reduction".
8. Page 13, by striking lines 44 and 45 and inserting in lieu thereof the following: "fees, and payment reduction fees."
9. Renumber as necessary.

Roll call was requested by Welden of Hardin and Stromer of Hancock.

On the question "Shall amendment H–3696 be adopted?"

The ayes were, 32:

Anderson Bennett Branstad Clark

Daggett	De Groot	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Lageschulte	Maulsby
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 62:

Arnould	Baxter	Black	Blanshan
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Cochran	Connors
Cooper	Copenhaver	Corey	Davitt
Diemer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jochum	Knapp	Koenigs	Krewson
Lonergan	McIntee	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Varn
Zimmerman	Mr. Speaker		

Absent or not voting, 6:

Brammer	Connolly	Doderer	Jay
Lloyd-Jones	Woods		

Amendment H—3696 lost.

Chiodo of Polk offered the following amendment H—3717, to the committee amendment H—3578, filed by him and Schroeder of Pottawattamie from the floor and moved its adoption:

H—3717

Amend House amendment H—3578 to Senate File 223, as passed by the Senate, as follows:

1. By striking page 3, line 44 through page 4, line 38, and inserting in lieu thereof the following:

"1. The authority shall initiate a residential mortgage interest reduction program to reduce the interest costs on groups of mortgage loans. The authority shall use the money specially appropriated to operate this program, and the authority may use moneys declared to be surplus as provided in section

220.10, subsection 1, or moneys obtained from grants, gifts, bequests, contributions, and other uncommitted funds to operate this program.

2. Each mortgage loan included in this program shall be for the purpose of acquiring a single-family dwelling to be occupied by the owner of that dwelling, or a two-family dwelling where the owner will occupy one of the units. The authority shall adopt rules establishing the maximum purchase prices for both single-family dwellings and two-family dwellings in order to be included in a particular group of mortgages. These maximum purchase prices shall not exceed the maximum prices established by section 103A, Internal Revenue Code of 1954. These rules shall only apply to mortgages financed from the sale of tax-exempt bonds.

3. The interest reduction established by the authority for a group of loans shall meet the requirements of this subsection. The interest rate of a loan shall be reduced for a period not to exceed five years. The interest rate of a loan during the first year shall be reduced by not less than three percent and not more than five percent. The amount of the reduction in the interest rate of the loan in each subsequent year of the reduction period, if there are any subsequent years, shall be equal to the percent reduction in the first year multiplied times a fraction which has as its denominator the total number of years of the interest reduction period and has as its numerator the number of years remaining in the interest reduction period at the beginning of the subsequent year. For purposes of this subsection the first year of the interest reduction period starts on the date the loan is closed and ends eleven months after the date of the first monthly payment.

4. The authority shall implement this program by allocating a specified amount of money to reduce the interest rate on some or all of the mortgage loans purchased. The authority shall pay for the interest

Page 2

reduction on a group of loans to mortgage lenders, mortgage purchasers, or investors at the same time that it purchases that group of loans. For each bond issue using this program the authority shall establish the interest rate reductions it will purchase, the amount the authority will pay for the interest rate reductions, and the method of determining which of the eligible loans will be reduced."

Amendment H—3717 was adopted.

Chiodo of Polk offered the following amendment H—3718, to the committee amendment H—3578, filed by him from the floor and moved its adoption:

H—3718

Amend House amendment H—3578, to Senate File 223, as passed by the Senate, as follows:
1. Page 5, by striking line 37 and inserting in lieu thereof the following:
"Sec. 1000. Section 515.48, Code 1983, is amended".
2. Page 13, line 27, by striking the number "1" and inserting in lieu thereof the number "1000".

Amendment H—3718 was adopted.

Carl of Poweshiek in the chair at 3:30 p.m.

Swearingen of Keokuk offered the following amendment H—3702, to the committee amendment H—3578, filed by Swearingen, et al., and moved its adoption:

H—3702

Amend amendment, H—3578, to Senate File 223 as passed by the Senate, as follows:
1. Page 5, line 48, by striking the word "primarily".
2. Page 5, by striking lines 49 through 50 and inserting in lieu thereof the words "agricultural production purposes."

Amendment H—3702 was adopted.

Swearingen of Keokuk asked and received unanimous consent to withdraw amendment H—3657, to the committee amendment H—3578, filed by him on April 11, 1983.

Swartz of Marshall offered the following amendment H—3707, to the committee amendment H—3578, filed by him and Parker of Jasper:

H—3707

Amend House amendment, H—3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 6, by inserting before line 1, the following: "All title insurance issued shall cover both the land and any structure on the land. The insurance shall cover the losses of the buyer, the seller, and the lender. The insurance shall contain no exclusions from coverage unless the commissioner has reviewed and approved the proposed exclusions."

2. Page 6, by inserting after line 20 the following:

"j. A prohibition against a lending institution, a subsidiary or a company under the ownership or control of a lending institution, or an officer, director, or employee of either the lending institution or a subsidiary or company under the ownership or control of a lending institution selling or entering into the business of selling title insurance or from collecting any profit or commission relating to the sale of title insurance."

3. Page 7, by inserting after line 5, the following:

"d. The commissioner shall base approval of rates on experience in Iowa, unless the commissioner determines that there is inadequate experience in Iowa to set rates.

e. The commission shall review the rates at least annually and may order reductions if the commission determines that losses do not justify the rates."

The following amendment H—3734, to amendment H—3707, (to the committee amendment H—3578) filed by Swartz of Marshall from the floor was adopted by unanimous consent:

H—3734

Amend amendment H—3707 to amendment H—3578 to Senate File 223 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 27, by striking the word "commission" and inserting in lieu thereof the word "commissioner".

2. Page 1, line 28, by striking the word "commission" and inserting in lieu thereof the word "commissioner".

On motion by Swartz of Marshall, amendment H—3707, as amended, was adopted.

Varn of Johnson asked and received unanimous consent to temporarily defer amendment H—3708.

Swearingen of Keokuk offered the following amendment H—3655, to the committee amendment H—3578, filed by Swearingen, et al., and moved its adoption:

H—3655

Amend amendment, H—3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 6, by inserting after line 20 the following:

"j. A requirement that the title insurance policy issued to an owner provide coverage which pays a sum equal to the face amount of the policy or the appraised value of the property at the time of the loss, whichever is the greater."

Amendment H—3655 lost.

Chapman of Linn offered the following amendment H—3663, to the committee amendment H—3578, filed by Chapman, et. al., and moved its adoption:

H—3663

Amend the amendment, H—3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 6, by inserting after line 20 the following:

"j. A prohibition against payment of fees to persons other than licensed insurance agents and providing that an officer, director, or employee, of a lending institution which extends credit secured by real property or a subsidiary or a company under common ownership or control shall not, in connection with the credit transaction or during the time the credit is outstanding, to receive or become entitled, as a licensed agent, to a fee or commission on title insurance covering an interest in the real property."

Roll call was requested by Chapman of Linn and Van Camp of Scott.

On the question "Shall amendment H—3663 be adopted?"

The ayes were, 66:

Anderson	Buhr	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Hammond	Handorf	Hanson
Holveck	Hughes	Hummel	Knapp

Koenigs	Krewson	Lageschulte	Lloyd-Jones
Maulsby	McKean	Menke	Miller
Muhlbauer	Mullins	O'Kane	Osterberg
Oxley	Paulin	Pavich	Peick
Pellett	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Madam Speaker (Carl)		

The nays were, 31:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Branstad	Chiodo
Connolly	Copenhaver	Gronstal	Halvorson, R. A.
Halvorson, R. N.	Harbor	Haverland	Hermann
Hoffmann-Bright	Jochum	Lonergan	McIntee
Norland	Ollie	Parker	Poncy
Renken	Schroeder	Sherzan	Shoultz
Skow	Stromer	Tabor	

Absent or not voting, 3:

Brammer	Jay	Tofte

Amendment H—3663 was adopted.

Groth of Buena Vista offered the following amendment H—3725, to the committee amendment H—3578, filed by him from the floor and moved its adoption:

H—3725

Amend amendment H—3578 to Senate File 223 as passed by the Senate, as follows:

1. Page 6, by inserting after line 20 the following:

"j. A requirement that the title insurer, under a policy for the benefit of the owner of the real property insured under the policy, is liable for the full amount of the policy which has been designated for title insurance regardless of the value of the insured real property."

2. By renumbering as necessary.

Roll call was requested by Chiodo of Polk and Halvorson of Clayton.

Rule 76 was invoked.

On the question "Shall amendment H—3725 be adopted?"

The ayes were, 50:

Anderson	Carpenter	Chapman	Clark
Corey	Daggett	Davitt	De Groot
Doderer	Fogarty	Grandia	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Harbor	Hoffmann-Bright	Holveck	Hughes
Hummel	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Maulsby	McKean
Menke	Mullins	O'Kane	Osterberg
Oxley	Pavich	Pellett	Renken
Rensink	Rosenberg	Schnekloth	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tofte	Torrence	Van Camp	Van Maanen
Welden	Zimmerman		

The nays were, 48:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carter	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Diemer
Fey	Groninga	Gronstal	Halvorson, R. A.
Handorf	Haverland	Hermann	Jochum
Lonergan	McIntee	Miller	Muhlbauer
Norland	Ollie	Parker	Paulin
Peick	Poncy	Renaud	Royer
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Sturgeon	Tabor
Van Gerpen	Varn	Woods	Madam Speaker (Carl)

Absent or not voting, 2:

Brammer	Jay

Amendment H—3725 was adopted.

Speaker Avenson in the chair at 4:40 p.m.

Connors of Polk offered the following amendment H—3727, to the committee amendment H—3578, filed by him from the floor and moved its adoption:

H—3727

1 Amend amendment, H—3578, to Senate File 223, as
2 passed by the Senate, as follows:
3 1. Page 6, by inserting after line 20 the

following:

"j. A requirement that if the title insurer obtains a report or opinion by an attorney or from a mortgage lender relating to defects in or liens or encumbrances on the title of real property, the unmarketability of the title to real property, or the invalidity or unenforceability of liens or encumbrances upon real property, the title insurer shall provide a copy of the report or opinion to the mortgagor and the mortgagor's attorney."

2. Page 9, by inserting after line 20 the following:

"Sec. . Section 524.905, Code 1983, is amended by adding the following new subsection as subsection 5:

NEW SUBSECTION. 5. If the bank obtains a report or opinion by an attorney or from another mortgage lender relating to defects in or liens or encumbrances on the title of real property, the unmarketability of the title to real property, or the invalidity or unenforceability of liens or encumbrances upon real property, the bank shall provide a copy of the report or opinion to the mortgagor and the mortgagor's attorney.

Sec. . Section 533.16, subsection 4, Code 1983, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. Section 524.905, subsection 5, applies to the credit union in the same manner as if the credit union is a bank within the meaning of that provision.

Sec. . Section 534.80, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Section 524.905, subsection 5, applies to the association in the same manner as if the association is a bank within the meaning of that provision."

3. Page 12, by inserting after line 46 the following:

"Sec. . Section 536A.20, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Section 524.905, subsection 5, applies to the licensed industrial loan company in the same manner as if the licensed industrial loan company is a bank within the meaning of that provision."

4. By numbering and renumbering as necessary.

Amendment H—3727 was adopted.

Chapman of Linn offered the following amendment H—3654, to the committee amendment H—3578, filed by Chapman, et al., and moved its adoption:

H–3654

Amend amendment, H–3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 6, line 39, by inserting after the word "discriminatory." the words "However, the premium charges shall not exceed one-tenth of one percent of the value of the property and the premium charged a lender or a homeowner shall be the same."

A non-record roll call was requested.

The ayes were 27, nays 55.

Amendment H–3654 lost.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H–3699, to the committee amendment H–3578, filed by him on April 12, 1983.

Hanson of Delaware offered the following amendment H–3732, to the committee amendment H–3578, filed from the floor by Hanson, Krewson, Schnekloth and Rosenberg and moved its adoption:

H–3732

Amend House amendment H–3578 to Senate File 223, as passed by the Senate, as follows:

1. Page 6, line 41, by striking the words "and outside".

2. Page 6, by striking line 46 and inserting in lieu thereof the following: "and prospective expenses within Iowa;".

Amendment H–3732 was adopted.

Chapman of Linn offered the following amendment H–3661, to the committee amendment H–3578, filed by Chapman, et al., and moved its adoption:

H–3661

Amend amendment, H–3578, to Senate File 223 as passed by the Senate, as follows:

1. By striking page 5, line 37 through page 9, line 20.

2. Page 10, by striking lines 10 through 17.

3. Page 13, by striking lines 26 through 28.

4. Page 13, line 43, by striking the words "title insurance,".

Roll call was requested by Chapman of Linn and Mullins of Kossuth.

On the question "Shall amendment H—3661 be adopted?"

The ayes were, 57:

Anderson	Bennett	Branstad	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Cooper	Corey	Daggett
Davitt	De Groot	Doderer	Grandia
Groninga	Groth	Hammond	Handorf
Hanson	Holveck	Hughes	Hummel
Jay	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Maulsby	McKean
Menke	Mullins	O'Kane	Osterberg
Oxley	Pavich	Peick	Pellett
Poncy	Renaud	Rosenberg	Royer
Schnekloth	Sherzan	Shoultz	Stromer
Sullivan	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden
Zimmerman			

The nays were, 42:

Arnould	Baxter	Black	Blanshan
Buhr	Chiodo	Connolly	Connors
Copenhaver	Diemer	Fey	Fogarty
Gronstal	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Harbor	Haverland	Hermann	Hoffmann-Bright
Jochum	Lonergan	McIntee	Miller
Muhlbauer	Norland	Ollie	Parker
Paulin	Renken	Rensink	Running
Schroeder	Skow	Spear	Stueland
Sturgeon	Swartz	Tofte	Varn
Woods	Mr. Speaker		

Absent or not voting, 1:

Brammer

Amendment H—3661 was adopted, placing out of order the following amendments, to the committee amendment H—3578, previously adopted: H—3663, H—3702, H—3707, H—3718, H—3725, H—3732, H—3734; and amendment H—3708, to the committee amendment H—3578, filed by Varn et al., on April 12, 1983.

Swearingen of Keokuk asked and received unanimous consent to withdraw amendment H—3656, to the committee amendment H—3578, filed by him on April 11, 1983.

Chiodo of Polk offered the following amendment H—3662, to the committee amendment H—3578, filed by him and moved its adoption:

H—3662

Amend House amendment, H—3578, to Senate File 223, as passed by the Senate, as follows:

1. Page 13, by striking lines 29 through 35.

2. Page 13, line 43, by inserting after the word "programs," the word "and".

3. Page 13, by striking lines 44 and 45 and inserting in lieu thereof the words "fees, and payment reduction fees."

Amendment H—3662 was adopted.

Chiodo of Polk offered the following amendment H—3733, to the committee amendment H—3578, filed by him from the floor and moved its adoption:

H—3733

Amend House amendment H—3578 to Senate File 223 as passed by the Senate, as follows:

1. Page 1, by inserting before line 5 the following:

"Section 1. Section 220.1, subsection 28, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The authority may, by resolution, waive any or all of the requirements of paragraph b in connection with a loan to a small business, as defined under applicable federal law and regulations that have been enacted or adopted by April 1, 1983, in which federal assistance, insurance or guaranties are sought."

2. Renumber as necessary.

Amendment H—3733 was adopted.

Stromer of Hancock called up for consideration the motion to reconsider amendment H—3696 filed by him from the floor and moved to reconsider the vote by which amendment H—3696, to the committee amendment H—3578, failed to be adopted by the House on April 13, 1983.

The motion to reconsider lost.

Connors of Polk asked and received unanimous consent to reconsider the vote by which amendment H–3727 was adopted by the House on April 13, 1983.

Connors of Polk asked and received unanimous consent to amend amendment H–3727 by striking lines 3 through 13.

Connors of Polk moved the adoption of amendment H–3727, as amended, to the committee amendment H–3578.

Amendment H–3727, as amended, was adopted.

On motion by Chiodo of Polk, the committee amendment H–3578, as amended, was adopted.

Chiodo of Polk offered the following amendment H–3693 filed by him and moved its adoption:

H–3693

Amend Senate File 223 as passed by the Senate, as follows:

1. Page 1, by inserting after line 24 the following:

"Sec. . Section 220.51, subsection 4, Code 1983, is amended to read as follows:

4. The powers granted the authority under this section are in addition to other powers contained in this chapter. All other provisions of this chapter, except section ~~175.17, subsection 9 and section 175.19~~ 220.28, subsection 4, apply to bonds or notes issued pursuant to and powers granted to the authority under this section except to the extent that they are inconsistent with this section."

2. Page 2, by inserting after line 5 the following:

"Sec. . Section 524.901, subsection 2, paragraph a, Code 1983, is amended to read as follows:

a. The total amount of the bonds or securities of any one issuer or obligor, other than revenue or improvement bonds issued by a municipality, the Iowa housing finance authority, or the Iowa family farm development authority and subjected to separate investment limits under paragraphs "b", "c", "d", ~~or~~ "f", or "g" of this subsection, shall not exceed twenty percent of the capital and surplus of the state bank.

Sec. . Section 524.901, subsection 2, Code

1983, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. g. The total amount of bonds or notes issued by the Iowa housing finance authority pursuant to chapter 220 which have been issued on behalf of any one small business as defined in section 220.1, subsection 28, or any one group home referred to in section 220.1, subsection 11, paragraph a, and the proceeds of which have been loaned to that small business or group home shall not exceed twenty percent of the capital and surplus of the bank."

3. Renumber as necessary.

Amendment H—3693 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?" (S.F. 223)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Maulsby Welden

Absent or not voting, 1:

Brammer

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 24

Davitt of Warren asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 24, requesting the Interstate Commerce Commission to intervene in Rock Island Railroad bankruptcy action, filed on April 12, 1983 and found on pages 1212 and 1213 of the House Journal.

Schroeder of Pottawattamie asked for unanimous consent to defer action on House Concurrent Resolution 24 for the immediate consideration of House Concurrent Resolution 11.

Objection was raised.

Schroeder of Pottawattamie moved that House Concurrent Resolution 24 be referred to the committee on transportation.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw his motion to refer.

On motion by Davitt of Warren, House Concurrent Resolution 24 was adopted.

INTRODUCTION OF BILLS

House File 618, by Brammer, a bill for an act relating to the duty of an employer to report certain felonies of an employee, and providing a penalty.

Read first time and referred to committee on **judiciary and law enforcement.**

House File 619, by Norland and Stromer, a bill for an act relating to the care given under workers' compensation medical benefits.

Read first time and referred to committee on **labor and industrial relations.**

MOTION TO RECONSIDER
(Senate File 223)

I move to reconsider the vote by which Senate File 223 passed the House on April 13, 1983.

CHIODO of Polk

CONFERENCE COMMITTEE REPORT FILED

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill was received and filed in the office of the Chief Clerk on April 12, 1983.

JOSEPH O'HERN
Chief Clerk of the House

Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive.

PRESENTATION OF VISITORS

Peick of Linn presented to the House, the Honorable Nancy Stevenson, former Lieutenant Governor of South Carolina.

Lonergan of Boone presented to the House, the Honorable William Monroe, former member of the House representing Des Moines County.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Mrs. Ogelsby. By Jay of Appanoose.

Nine government students from Northwood-Kensett High School, Northwood, accompanied by Bob Perry. By Norland of Worth.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

IOWA COMMISSION ON INTERSTATE COOPERATION

An annual report filed April 13, 1983, purusant to Chapter 28B.4, Code of Iowa.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 256), removing the aggregate taxable values of real estate in a school district from a county assessor's annual abstract of real and personal property.

Fiscal Note is not required.

Recommended **Do Pass** April 12, 1983.

Committee Bill (Formerly House File 396), to allow setoffs against state income tax refunds or rebates any claims to recoup public assistance overpayments by the department of social services.

Fiscal Note is required.

Recommended **Do Pass** April 12, 1983.

Committee Bill (Formerly House File 455), relating to the prepayment of special

assessment installments.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 12, 1983.

Committee Bill (Formerly House File 564), relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

Fiscal Note is required.

Recommended **Do Pass** April 12, 1983.

Committee Bill (Formerly House File 608), relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations, expanding the duties and tenure of the county finance committee, providing for current and noncurrent debt, making coordinating amendments, and continuing certain penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 12, 1983.

Committee Bill (Formerly Study Bill 269), relating to penalties for violations of the motor fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws.

Fiscal Note is not required.

Recommended **Do Pass** April 12, 1983.

AMENDMENTS FILED

H–3709	H.F.	528	Senate Amendment
H–3710	H.F.	317	Senate Amendment
H–3711	H.F.	448	Senate Amendment
H–3712	H.F.	315	Senate Amendment
H–3713	H.F.	37	Senate Amendment
H–3714	H.F.	135	Senate Amendment
H–3715	H.F.	592	Senate Amendment
H–3716	H.F.	312	Senate Amendment
H–3723	S.F.	302	Schroeder of Pottawattamie
H–3724	S.F.	495	Doderer of Johnson
H–3726	S.F.	448	Varn of Johnson
H–3728	S.F.	503	Spear of Lee

H—3729	S.F.	503	Spear of Lee
H—3730	S.F.	503	Spear of Lee
H—3731	S.F.	503	Spear of Lee
H—3736	S.F.	503	Spear of Lee
H—3737	S.F.	448	Haverland of Polk
H—3738	S.F.	448	Haverland of Polk
H—3739	S.F.	448	Haverland of Polk
H—3740	S.F.	448	Haverland of Polk
H—3741	S.F.	448	Copenhaver of Buchanan
H—3742	S.F.	448	Copenhaver of Buchanan
H—3743	S.F.	448	Copenhaver of Buchanan
H—3744	S.F.	448	Copenhaver of Buchanan
H—3745	S.F.	336	Hammond of Story
H—3746	S.F.	475	Daggett of Taylor
H—3747	S.F.	302	McKean of Jones
H—3748	S.F.	178	Hermann of Scott
H—3749	S.F.	493	Miller of Woodbury Woods of Polk Buhr of Polk
H—3750	S.F.	477	Skow of Guthrie
H—3751	S.F.	493	Hanson of Delaware
H—3752	S.F.	448	Haverland of Polk
H—3753	S.F.	448	Haverland of Polk
H—3754	S.F.	503	Halvorson of Clayton
H—3755	S.F.	302	Halvorson of Clayton

On motion by Norland of Worth, the House adjourned at 5:56 p.m., until 9:00 a.m., Thursday, April 14, 1983.

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day—Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 14, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Monsignor Roger E. O'Brien, pastor of the St. Boniface Catholic Church, Garner.

The Journal of Wednesday April 13, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. W. Maplethorpe, Toledo.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brammer of Linn, until his arrival, on request of Ollie of Clinton.

PETITIONS FILED

The following petitions were received and placed on file:

By Grandia of Marion, from fifty-five constituents opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

By Menke of O'Brien, from seventy-four constituents of the 7th District opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

By Pellett of Cass, from fifty-six constituents opposing House File 564, which imposes a two percent tax increase on all wines and spirits.

INTRODUCTION OF BILLS

House File 620, by committee on ways and means, a bill for an act to allow setoffs against state income tax refunds or rebates any claims to recoup public assistance overpayments by the department of social services.

Read first time and referred to committee on **finance.**

House File 621, by committee on ways and means, a bill for an act removing the aggregate taxable values of real estate in a school district from a county assessor's annual abstract of real and personal property.

Read first time and referred to committee on **finance.**

House File 622, by committee on ways and means, a bill for an act relating to the prepayment of special assessment installments.

Read first time and referred to committee on **finance.**

House File 623, by committee on ways and means, a bill for an act to establish an Iowa industrial new jobs training program.

Read first time and referred to committee on **finance.**

House File 624, by committee on ways and means, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

Read first time and referred to committee on **finance.**

House File 625, by committee on ways and means, a bill for an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

Read first time and referred to committee on **finance.**

House File 626, by committee on ways and means, a bill for an

act relating to penalties for violations of the motor fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws.

Read first time and referred to committee on **finance.**

MOTION TO RECONSIDER WITHDRAWN
(Senate File 368)

Hermann of Scott asked and received unanimous consent to withdraw the motion to reconsider Senate File 368, a bill for an act relating to the powers and duties of the department of water, air and waste management, filed by him on April 12, 1983.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 499, a bill for an act providing for the preservation of rail corridors for future rail use upon abandonment of the rail corridors, with report of committee recommending passage was taken up for consideration.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 499)

The ayes were, 86:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Davitt
De Groot	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Osterberg	Oxley
Parker	Paulin	Pavich	Peick

Pellett	Poncy	Renken	Rensink
Rosenberg	Royer	Running	Schroeder
Sherzan	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 3:

Hummel	Schnekloth	Welden

Absent or not voting, 11:

Brammer	Chiodo	Copenhaver	Diemer
Haverland	Hermann	McIntee	Ollie
Renaud	Shoultz	Swearingen	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 513, a bill for an act relating to the name of a state bank, with report of committee recommending passage was taken up for consideration.

Gronstal of Pottawattamie offered the following amendment H–3577 filed by the committee on small business and commerce and moved its adoption:

H–3577

Amend Senate File 513 as passed by the Senate, as follows:

1. Page 1, by inserting after line 8 the following:

"Sec. . Section 524.1202, subsection 2, paragraph a, subparagraphs (1), (2), (3), and (4), Code 1983, are amended to read as follows:

~~(1) If the municipal corporation has a population of fifty thousand or less according to the most recent federal census, the state bank shall not establish more than three bank offices.~~

(2 1) If the municipal corporation or urban complex has a population of ~~more than fifty thousand but not more than~~ one hundred thousand or less according to the most recent federal census, the state bank shall not establish more than three bank offices.

(3 2) If the municipal corporation or urban complex has a population of more than one hundred thousand but not more than two hundred thousand according to

the most recent federal census, the state bank shall not establish more than four bank offices.

(4 3) If the municipal corporation or urban complex has a population of more than two hundred thousand according to the most recent federal census, the state bank shall not establish more than five bank offices."

2. Title page, line 1, by inserting after the word "name" the words "and location".

3. Renumber as necessary.

The committee amendment H—3577 was adopted.

Gronstal 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. 513)

The ayes were, 80:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	Davitt	De Groot
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Maulsby	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renken	Rensink
Rosenberg	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Swartz	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Varn	Welden	Woods	Mr. Speaker

The nays were, 4:

Carter	Grandia	Hummel	Van Maanen

Absent or not voting, 16:

Brammer	Chiodo	Copenhaver	Diemer
Haverland	Hermann	Lloyd-Jones	Lonergan

McIntee	Ollie	Renaud	Royer
Sturgeon	Sullivan	Swearingen	Zimmerman

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE FILE 423 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 423 be deferred and that the bill retain its place on the calendar.

Senate File 166, a bill for an act relating to the authorized number of district judges, with report of committee recommending amendment and passage was taken up for consideration.

Chapman of Linn asked and received unanimous consent to withdraw amendment H—3586 filed by the committee on judiciary and law enforcement on April 8, 1983.

Norland of Worth asked and received unanimous consent that Senate File 166 be deferred and placed on the calendar under unfinished business.

SENATE FILE 500 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 500 be deferred and that the bill retain its place on the calendar.

The House stood at ease at 9:40 a.m., until the fall of the gavel.

The House resumed session at 9:53 a.m., Speaker Avenson in the chair.

Senate File 423, a bill for an act relating to workers' compensation by modifying the intoxication defense, raising the interest rate on subrogation recoveries, providing that the statute of limitations does not run on certain medical benefits, transferring the authority to act as conservator of the second injury fund to the treasurer of state, and eliminating the industrial commissioner as a respondent in appeals from final agency action, with report of committee recom-

mending passage, previously deferred, was taken up for consideration.

Ollie 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. 423)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Brammer	Sturgeon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 500, a bill for an act relating to the rate of inspection fees paid on commercial feeds, with report of committee recom-

mending passage, previously deferred, was taken up for consideration.

Copenhaver 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. 500)

The ayes were, 99:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Brammer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 471, a bill for an act requiring the comptroller to adopt rules specifying the form and contents for invoices submitted by vendors to the state, with report of committee recommending amendment and passage was taken up for consideration.

Swartz of Marshall offered the following amendment H–3565 filed by the committee on small business and commerce and moved its adoption:

H–3565

Amend Senate File 471 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 15, by striking the words ", the general assembly,".

2. Page 1, lines 19 and 20, by striking the words ", the general assembly,".

The committee amendment H–3565 was adopted.

Swartz 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. 471)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stueland

Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 9:

De Groot	Harbor	Hummel	Paulin
Pellett	Renken	Rensink	Stromer
Welden			

Absent or not voting, 1:

Brammer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 302, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 302 be deferred and placed on the calendar under unfinished business.

Senate File 496, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Tabor of Jackson offered the following amendment H–3588 filed by the committee on judiciary and law enforcement and moved its adoption:

H–3588

Amend Senate File 496 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 5, by striking the word "transmute" and inserting in lieu thereof the word "transmit".

2. Page 1, by inserting after line 7 the following:

"Sec. . Section 728.2, Code 1983, is amended to read as follows:

728.2 DISSEMINATION AND EXHIBITION OF OBSCENE MATERIAL TO MINORS. ~~Any~~ A person, other than the parent or guardian of the minor, who knowingly disseminates or exhibits obscene material to a minor, including the exhibition of obscene material so that it can be observed by a minor on or off the premises where it is displayed, is guilty of a public offense and ~~shall~~ upon conviction ~~be~~ is guilty of ~~a serious~~ an aggravated misdemeanor.

Sec. . Section 728.3, Code 1983, is amended to read as follows:

728.3 ADMITTING MINORS TO PREMISES WHERE OBSCENE MATERIAL IS EXHIBITED. ~~Any~~ A person who knowingly sells, gives, delivers, or provides a minor with a pass or admits a minor to premises where obscene material is exhibited is guilty of a public offense and ~~shall~~ upon conviction ~~be~~ is guilty of ~~a serious~~ an aggravated misdemeanor."

3. Page 1, by inserting after line 35 the following:

"However, this section does not apply to law enforcement officers, court personnel, licensed physicians, licensed psychologists, or attorneys in the performance of their official duties."

4. Page 2, line 4, by striking the words "~~or intended to be furnished~~" and inserting in lieu thereof the words "or intended to be furnished".

5. Page 2, line 8, by striking the words "~~or intended to be used~~" and inserting in lieu thereof the words "or intended to be used".

6. Renumber as necessary.

Amendment H—3588 was adopted, placing out of order amendment H—3531 filed by Tabor of Jackson on April 6, 1983.

Tabor of Jackson moved that the bill be read a last time 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. 496)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer

Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Brammer	Halvorson, R. N.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 503, a bill for an act relating to inmates in correctional facilities, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 503 be deferred and placed on the calendar under unfinished business.

Senate File 53, a bill for an act relating to time off for good behavior of inmates, with report of committee recommending passage was taken up for consideration.

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?" (S.F. 53)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Zimmerman
Mr. Speaker			

The nays were, 6:

Cochran	Davitt	Gruhn	Maulsby
Royer	Woods		

Absent or not voting, 1:

Norland

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 151, a bill for an act to prohibit employers from charging applicants a fee as a condition of application or employment, with report of committee recommending amendment and passage was taken up for consideration.

Sherzan of Polk offered the following amendment H—3501 filed by the committee on judiciary and law enforcement and moved its adoption:

H–3501

Amend Senate File 151 as passed by the Senate, as follows:

1. Page 1, line 19, by inserting after the word "employer" the words and figure ", however an employer may utilize the services provided by an employment agency".

2. Page 1, line 33, by inserting after the word "employer" the words and figure ", however an employer may utilize the services provided by an employment agency".

The committee amendment H–3501 lost.

Sherzan 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. 151)

The ayes were, 90:

Anderson	Arnould	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 10:

Bennett	Branstad	Daggett	Grandia
Hummel	Maulsby	Renken	Tofte
Van Maanen	Welden		

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.

Senate File 359, a bill for an act relating to the office or individual charged with supervision of an offender and the preparation of a restitution plan of payment as a condition of probation, work release, or parole, with report of committee recommending passage was taken up for consideration.

Haverland 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. 359)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Schnekloth	Schroeder	Sherzan	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen

Van Maanen Varn Welden Woods
Zimmerman Mr. Speaker

The nays were, none.

Absent or not voting, 2:

Running Shoultz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 452, a bill for an act relating to certain vehicles, which deletes the requirement that a person transporting a mobile home provide a copy of a tax clearance statement to the state department of transportation, provides for an increase in the permit fees charged vehicles of excessive size and weight, increases the suspension period for violators, requires certain vehicles to carry a warning device, eliminates the length restriction of seventy feet for Iowa manufactured vehicles, and permits the department of transportation to require an escort for overdimensional vehicles, with report of committee recommending passage was taken up for consideration.

Cooper of Lucas offered the following amendment H–3676 filed by him and Woods of Polk and moved its adoption:

H–3676

Amend Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 13 the following section:

"Sec. . Acts of the Seventieth General Assembly, 1983 Session, Senate File 207, section 6, subsection 1, amending section 321.457, Code 1983, is amended to read as follows:

1. A combination of four vehicles is not allowed on the highways of this state, except for power units saddle mounted on other power units which shall be restricted to a maximum overall length of sixty-five feet".

2. Page 2, line 15, by inserting after the word "state" the words and figures "as of March 31, 1983".

3. Page 2, line 16, by inserting after the word "used" the word "exclusively".

4. Renumber sections and correct internal references as necessary in accordance with this amendment.

Amendment H—3676 was adopted.

Cooper of Lucas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 452)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Norland	O'Kane	Ollie
Oxley	Parker	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 6:

Chapman	Lloyd-Jones	Osterberg	Paulin
Rosenberg	Welden		

Absent or not voting, 1:

Muhlbauer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On motion by Norland of Worth, the House was recessed at 10:44 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

OBJECTION TO UNANIMOUS CONSENT
(Suspension of Rule 75.a)

Norland of Worth asked for unanimous consent to suspend Rule 75.a (allowing voting within a ten minute period) for the remainder of the day.

Objection was raised.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 481, a bill for an act relating to the court fees charged and collected as the journal publication fee, with report of committee recommending passage was taken up for consideration.

Haverland 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. 481)

The ayes were, 89:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Mullins	Norland	O'Kane	Ollie

Oxley	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Mr. Speaker			

The nays were, 6:

Chapman	Maulsby	Muhlbauer	Parker
Schroeder	Zimmerman		

Absent or not voting, 5:

Carpenter	Connors	Harbor	Hummel
Osterberg			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 304, a bill for an act relating to the time limit for petitioning for judicial review of a no-probable-cause decision of the Iowa civil rights commission, with report of committee recommending passage was taken up for consideration.

Doderer 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. 304)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte

Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Connors	Harbor	Hummel

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 401, a bill for an act relating to the confidentiality of financial statements of grain dealers and warehousemen, with report of committee recommending passage was taken up for consideration.

Groninga 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. 401)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte

Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Mr. Speaker		

The nays were, 1:

Zimmerman

Absent or not voting, 5:

Connors	Harbor	Hummel	Peick
Shoultz			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 492, a bill for an act relating to the method of selecting petit jurors, with report of committee recommending passage was taken up for consideration.

Varn 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. 492)

The ayes were, 99:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hummel

Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Hughes

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 466, a bill for an act relating to the method of election of boards of directors of reorganized school districts, with report of committee recommending passage was taken up for consideration.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 466)

The ayes were, 99:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel

Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Grandia

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.

Senate File 325, a bill for an act relating to the service of notices terminating real estate tenancies, with report of committee recommending amendment and passage was taken up for consideration.

Haverland of Polk offered the following amendment H–3563 filed by the committee on judiciary and law enforcement and moved its adoption:

H–3563

Amend Senate File 325 as follows:

1. Page 2, line 7, by striking the word "as" and inserting in lieu thereof the words: "by using one of the following methods:".

2. Page 2, line 8, by striking the word "follows:".

3. Page 2, line 12, by striking the word "either".

4. Page 2, line 13, by striking the word "or" and inserting in lieu thereof the following: ", or if personal service has been tried and cannot be achieved,".

The committee amendment H–3563 was adopted.

Haverland 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. 325)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 4:

Hammond	Handorf	Holveck	Rosenberg

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.

Senate File 266, a bill for an act relating to qualifications for area education agency administrators, with report of committee recommending passage was taken up for consideration.

Buhr 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. 266)

The ayes were, 99:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Blanshan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 387, a bill for an act relating to an examination by the superintendent of banking of the condition of an economic development corporation, with report of committee recommending passage was taken up for consideration.

Groninga 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. 387)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Chapman	Gruhn	Muhlbauer	Swartz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 412 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 412 be deferred and that the bill retain its place on the calendar.

Senate File 327, a bill for an act to provide for annual recommendations by the commission on compensation, salaries, and expenses of elected state officials, with report of committee recommending passage was taken up for consideration.

Chapman 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. 327)

The ayes were, 32:

Arnould	Connolly	Connors	Doderer
Fey	Gronstal	Groth	Halvorson, R. N.
Hanson	Haverland	Holveck	Hughes
Jochum	Krewson	Lloyd-Jones	Miller
Mullins	Norland	O'Kane	Ollie
Parker	Pavich	Peick	Poncy
Rosenberg	Running	Skow	Sturgeon
Swartz	Varn	Woods	Mr. Speaker

The nays were, 68:

Anderson	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Fogarty	Grandia
Groninga	Gruhn	Halvorson, R. A.	Hammond
Handorf	Harbor	Hermann	Hoffmann-Bright
Hummel	Jay	Knapp	Koenigs
Lageschulte	Lonergan	Maulsby	McIntee
McKean	Menke	Muhlbauer	Osterberg
Oxley	Paulin	Pellett	Renaud
Renken	Rensink	Royer	Schnekloth
Schroeder	Sherzan	Shoultz	Spear
Stromer	Stueland	Sullivan	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	Zimmerman

Absent or not voting, none.

The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

Hughes of Union in the chair at 1:40 p.m.

Senate File 493, a bill for an act relating to the motor vehicle code by providing a rebuttable presumption of residency, by increasing the penalty for improper use of a registration card, registration plate, special plate, or permit, by requiring a motor vehicle overtaking another vehicle on the left to return to the right-

hand portion of the roadway before coming within three hundred feet of an approaching vehicle, by clarifying certain language and eliminating certain inconsistent language in the motor vehicle code, by increasing the ability of an officer to issue a uniform citation and complaint, and providing a penalty, with report of committee recommending passage was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H–3694 filed by him:

H–3694

Amend Senate File 493 as amended, passed, and reprinted by the Senate as follows:

1. Page 2, by inserting after line 11 the following:

"Sec. . Section 321.207, Code 1983, is amended to read as follows:

321.207 RECORD FORWARDED. Every court having jurisdiction over offenses committed under this chapter, or any other law of this state or any city or county traffic ordinances, other than parking regulations, regulating the operation of motor vehicles on highways, shall forward to the department a record of the conviction of any person in the court for a violation of any of the laws, and may recommend the suspension of the operator's or chauffeur's license of the person convicted, and the department shall consider and act upon the recommendation. However, a record of conviction for a speeding violation of ten miles per hour or less over the legal speed limit of section 321.285, subsection 5, 6, 7, or 8, section 321.286, or section 321.287, shall not be forwarded to the department."

2. Page 2, by inserting after line 35, the following:

"Sec. . Section 321.491, unnumbered paragraph 2, Code 1983, is amended to read as follows:

Within ten days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this chapter or other law regulating the operation of vehicles on highways every ~~said~~ magistrate of the court or clerk of the court of record in which ~~such~~ the conviction was had or bail was forfeited shall prepare and immediately forward to the department an abstract of the record of ~~said~~ the court covering the case in which ~~said~~ the person was ~~so~~ convicted or forfeited bail, ~~which~~. However, an abstract of a record of conviction for a speeding violation of ten miles per hour or less over the legal speed limit of section 321.285, subsection 5, 6, 7,

or 8, section 321.286, or section 321.287, shall not be forwarded to the department. The abstract must be certified to be true and correct by the person ~~so~~ required to prepare the ~~same to be true and correct~~ abstract.

Sec. . Section 321A.3, Code 1983, is amended to read as follows:

321A.3 ~~DIRECTOR TO FURNISH~~ ABSTRACT OF OPERATING RECORD—FEES TO BE CHARGED AND DISPOSITION OF FEES.

1. The director shall upon request furnish any person a certified abstract of the operating record

Page 2

of ~~any~~ a person subject to chapter 321 or this chapter, ~~which~~. The abstract shall also fully designate the motor vehicles, if any, registered in the name of the person, ~~and, if~~: If there ~~shall be~~ is no record of ~~any~~ a conviction of the person having violated any law relating to the operation of a motor vehicle or of any injury or damage caused by the person, the director shall so certify. The abstract shall not include convictions of speeding violations of ten miles per hour or less over the legal speed limit of section 321.285, subsection 5, 6, 7, or 8, section 321.286, or section 321.287, if the convictions occurred on or after July 1, 1983. A fee of ~~four~~ five dollars shall be paid for each abstract except by state, county, city or court officials.

2. A sheriff may provide an abstract of the operating record of a person to the person or an individual authorized by the person, subject to the limitations of subsection 1. The sheriff shall charge a fee of five dollars for each abstract which the sheriff shall transfer to the director quarterly. The sheriff may charge an additional fee sufficient to cover costs incurred by the sheriff in producing the abstract.

3. The abstracts ~~shall~~ are not ~~be~~ admissible as evidence in ~~any~~ an action for damages or criminal proceedings arising out of a motor vehicle accident."

3. Amend the title, line 10, by inserting after the word "code," the following "by prohibiting the inclusion of certain speeding violations from inclusion in certain abstracts, by allowing a sheriff to provide an abstract of a person's operating record,".

4. Renumber as necessary.

Hoffmann-Bright of Muscatine rose on a point of order that amendment H—3694 was not germane.

The Speaker ruled the point well taken and amendment H—3694 not germane.

Schroeder of Pottawattamie asked for unanimous consent to consider amendment H—3694.

Objection was raised.

Miller of Woodbury offered the following amendment H—3749 filed by Miller, et al. :

H—3749

Amend Senate File 493 as amended, passed, and reprinted by the Senate as follows:

1. Page 2, by inserting after line 35 the following:

"Sec. . Section 321.438, Code 1983, is amended to read as follows:

321.438 WINDSHIELDS AND WINDOWS.

1. ~~No~~ A person shall not drive ~~any~~ a motor vehicle equipped with a windshield, sidewings, or side or rear windows which do not permit clear vision.

2. A person shall not operate on the highway a motor vehicle equipped with a windshield or a side window which is excessively dark or reflective so that it is difficult for a person outside the motor vehicle to see into the motor vehicle through the windshield or window. The department shall adopt rules establishing a minimum measurable standard of transparency which shall apply to violations of this subsection. This subsection does not apply to windshields or windows originally installed by the manufacturer of the motor vehicle and not subsequently treated in a manner that lowers the transparency of the windshield or window. This subsection does not apply to loss of transparency of windows caused by the use of drapes, curtains, screens, or blinds.

3. Every motor vehicle except a motorcycle, or a vehicle included in the provisions of section 321.383 or section 321.115 shall be equipped with a windshield in accordance with section 321.444."

2. Amend the title, line 8, by inserting after the word "vehicle," the following: "by prohibiting the operation of motor vehicles with excessively dark windshields or windows,".

3. Renumbering sections as necessary.

Spear of Lee offered the following amendment H—3759, to amendment H—3749, filed by him from the floor and moved its adoption:

H—3759

Amend House amendment H—3749 to Senate File 493 as follows:

1. Page 1, line 12, by inserting after the word "side" the words "or rear".

2. Page 1, line 16, by inserting after the word "window." the words "A light delivery truck, panel delivery truck, pickup, motor truck, truck tractor, road tractor, special truck, multipurpose vehicle, or motor home may have a darkened or reflective rear window."

A non-record roll call was requested.

The ayes were 55, nays 37.

Amendment H—3759 was adopted.

Jay of Appanoose offered the following amendment H—3756, to amendment H—3749, filed by him from the floor and moved its adoption:

H—3756

Amend the Miller amendment, H—3749, to Senate File 493, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 19 through 23 and inserting in lieu thereof the following: "subsection. This subsection does not".

Amendment H—3756 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lloyd-Jones of Johnson, for the remainder of the day, on request of Carpenter of Polk.

Arnould of Scott rose on a point of order that amendment H—3749 was not germane.

The Speaker ruled the point well taken and amendment H—3749 not germane.

Miller of Woodbury asked for unanimous consent to suspend the rules to consider amendment H—3749.

Objection was raised.

Woods of Polk moved that the rules be suspended to consider amendment H—3749.

A non-record roll call was requested.

The ayes were 53, nays 37.

The motion prevailed and the rules were suspended.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton; Davitt of Warren and Cochran of Webster, on request of Halvorson of Webster, all for the remainder of the day.

Speaker Avenson in the chair at 2:03 p.m.

Miller of Woodbury moved the adoption of amendment H—3749, as amended.

A non-record roll call was requested.

The ayes were 62, nays 23.

Amendment H—3749, as amended, was adopted.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H—3751 filed by him on April 13, 1983.

Schroeder of Pottawattamie asked and received unanimous consent to consider amendment H—3694, previously ruled not germane.

Schroeder of Pottawattamie moved the adoption of amendment H—3694.

A non-record roll call was requested.

The ayes were 15, nays 55.

Amendment H—3694 lost.

Miller 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. 493)

The ayes were, 84:

Anderson	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chiodo	Clark
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Koenigs	Lageschulte
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 12:

Arnould	Carter	Chapman	Connolly
Hummel	Jochum	Knapp	Krewson
Lonergan	Maulsby	Menke	Peick

Absent or not voting, 4:

Cochran	Davitt	Harbor	Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 202, a bill for an act relating to the coordination of public and private transportation programs and providing pilot projects, with report of committee recommending passage was taken up for consideration.

Koenigs of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 202)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Hummel	Welden

Absent or not voting, 5:

Cochran	Davitt	Harbor	Lloyd-Jones
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 303, a bill for an act requiring nonresidents to register certain vehicles operated by residents and providing a penalty, with report of committee recommending passage was taken up for consideration.

Muhlbauer 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?" (S.F. 303)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Cochran	Davitt	Harbor	Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 360, a bill for an act relating to defining who is entitled to claims for materials furnished on public improvements, with report of committee recommending passage was taken up for consideration.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 360)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Cochran	Davitt	Harbor	Lloyd-Jones
Poncy			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 118, a bill for an act providing for the discontinuation of a tax levy for, and dissolution of, a unified law enforcement district, 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. 118)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cooper
Copenhaver	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

Connors	Hummel	Maulsby	Stromer

Absent or not voting, 6:

Cochran	Connolly	Davitt	Doderer
Harbor	Lloyd-Jones		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 371, a bill for an act relating to costs incurred for a mobile home space when the tenant abandons the mobile home, with report of committee recommending passage was taken up for consideration.

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. 371)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Cochran	Davitt	Harbor	Lloyd-Jones
Royer	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 336, a bill for an act regulating the activities of loan brokers and providing penalties, with report of committee recommending passage was taken up for consideration.

Hammond of Story offered the following amendment H–3745 filed by her and moved its adoption:

H–3745

Amend Senate File 336 as passed by the Senate, as follows:

1. Page 1, by striking line 6 and inserting in lieu thereof the following: "for consideration to be paid by the borrower before the loan broker or broker has obtained a loan for the borrower or has made a commitment to make a loan, agrees to do either of".

Amendment H–3745 was adopted.

Hammond of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 336)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum

Knapp	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Cochran	Davitt	Harbor	Lloyd-Jones
Osterberg	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 161, a bill for an act to allow a person who is an instructor at a proprietary school of a profession regulated under chapter 147 to serve on the examining board of that profession, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 161 be deferred and placed on the calendar under unfinished business.

Senate File 477, a bill for an act relating to the liability of dog owners, with report of committee recommending passage was taken up for consideration.

Skow of Guthrie asked and received unanimous consent to withdraw amendment H—3750 filed by him on April 13, 1983.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 477)

The ayes were, 78:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Connolly	Connors
Cooper	Copenhaver	Daggett	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Poncy	Renaud	Renken
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 16:

Branstad	Corey	De Groot	Grandia
Hummel	Lageschulte	Lonergan	Maulsby
O'Kane	Pavich	Pellett	Rensink
Spear	Stueland	Van Maanen	Welden

Absent or not voting, 6:

Cochran	Davitt	Harbor	Koenigs
Krewson	Lloyd-Jones		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 470, a bill for an act relating to the payment of costs in certain civil and administrative actions to which the state is a party, with report of committee recommending amendment and passage was taken up for consideration.

Swartz of Marshall asked and received unanimous consent to defer action on amendment H—3581 filed by the committee on small business and commerce.

Buhr of Polk asked and received unanimous consent to withdraw amendment H—3543 filed by her on April 6, 1983.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—3581 filed by the committee on small business and commerce on April 8, 1983.

Swartz 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. 470)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Cochran	Davitt	Harbor	Lloyd-Jones
Norland			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 444, a bill for an act relating to the practice of veterinary medicine, with report of committee recommending amendment and passage was taken up for consideration.

Zimmerman of Dallas offered the following amendment H–3626 filed by the committee on agriculture and moved its adoption:

H–3626

Amend Senate File 444 as amended, passed and reprinted by the Senate as follows:

1. Page 2, line 24, by inserting after the word "by" the words "or have any material or financial interest in".

The committee amendment H–3626 was adopted.

Zimmerman 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?" (S.F. 444)

The ayes were, 87:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Connolly	Connors
Copenhaver	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Renaud	Renken	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Blanshan	Knapp	Van Maanen

Absent or not voting, 10:

Cochran	Cooper	Davitt	Groth
Harbor	Lloyd-Jones	Menke	Osterberg
Poncy	Rensink		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 370, a bill for an act relating to awards for punitive damages against officers and employees of governmental subdivisions, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 370 be deferred and placed on the calendar under unfinished business.

The House stood at ease at 3:02 p.m., until the fall of the gavel.

The House resumed session at 3:37 p.m., Speaker Avenson in the chair.

Senate File 221, a bill for an act relating to treatment of animals by persons licensed or registered under chapter 162 with penalties of license or registration suspension or revocation, with report of committee recommending amendment and passage was taken up for consideration.

Connors of Polk in the chair at 3:42 p.m.

Chapman of Linn offered the following amendment H—3576 filed by the committee on state government:

H—3576

Amend Senate File 221 as passed by the Senate, as follows:

1. Page 1, by inserting after line 17 the following section:

"Sec. 2. Section 351A.1, subsection 2, Code 1983,

is amended to read as follows:

2. "Pound" ~~shall mean any~~ means a public or private agency, person, ~~society,~~ or corporation having custody of dogs seized or held under the authority of the state or any municipality or any political subdivision of the state. However, "pound" does not include an animal shelter as defined in section 162.2, subsection 3."

Hammond of Story rose on a point of order that amendment H–3576 was not germane.

The Speaker ruled the point well taken and amendment H–3576 not germane.

Krewson of Polk asked for unanimous consent to suspend the rules to consider amendment H–3576.

Objection was raised.

Arnould of Scott moved that the rules be suspended to consider amendment H–3576.

A non-record roll call was requested.

The ayes were 26, nays 50.

The motion lost.

Chapman 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. 221)

The ayes were, 89:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond

Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lonergan	Maulsby	McIntee
McKean	Menke	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Poncy	Renaud	Renken
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, 3:

Krewson	Pellett	Welden

Absent or not voting, 8:

Chiodo	Cochran	Copenhaver	Davitt
Harbor	Lloyd-Jones	Miller	Rensink

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 459, a bill for an act providing for reasonable attorney fees for a mechanic's lien action, 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. 459)

The ayes were, 92:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Connolly
Cooper	Copenhaver	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Grandia	Groninga	Gronstal	Groth

Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, none.

Absent or not voting, 8:

Chiodo	Cochran	Davitt	Fogarty
Harbor	Lloyd-Jones	Rensink	Shoultz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 10, a bill for an act relating to compensation for solemnizing a marriage, with report of committee recommending amendment and passage was taken up for consideration.

Clark of Cerro Gordo offered amendment H–3589 filed by the committee on judiciary and law enforcement and requested division as follows:

H–3589

Amend Senate File 10 as amended, passed, and reprinted by the Senate, as follows:

H–3589A

1. Page 1, line 11, by inserting after the word "marriage." the following: "No judge or magistrate shall make any charge for solemnizing a marriage

6 during regular judicial working hours."

H–3589B

7 2. Page 1, line 12, by inserting after the word
8 "fee" the words "and expenses".

On motion by Clark of Cerro Gordo, the committee amendment H–3589A was adopted.

On motion by Clark of Cerro Gordo, the committee amendment H–3589B 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. 10)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Connolly	Cooper
Copenhaver	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, none.

Absent or not voting, 7:

Avenson	Chiodo	Cochran	Davitt
Harbor	Lloyd-Jones	Rensink	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate Joint Resolution 10, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the distribution of money subject to the support and maintenance of common schools, with report of committee recommending passage was taken up for consideration.

Speaker Avenson in the chair at 3:57 p.m.

Haverland of Polk moved that the joint resolution be read a last time now and placed upon its adoption which motion prevailed and the resolution was read a last time.

Senate Joint Resolution 10, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the the distribution of money subject to the support and maintenance of common schools.

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 7, subdivision 2 entitled "School Funds and School Lands", of Article IX of the Constitution of the State of Iowa is repealed.

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Sixty-ninth General Assembly, thereafter duly published, and now adopted and agreed to by the Seventieth 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-four (1984) 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 resolution be adopted and agreed to?" (SJR 10)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Chiodo	Cochran	Davitt	Harbor
Lloyd-Jones	Rensink		

The joint resolution, having received a constitutional majority was declared to have been adopted and agreed to by the House.

Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect, with report of committee recommending passage was taken up for consideration.

Doderer of Johnson asked and received unanimous consent to defer action on Senate Joint Resolution 9.

Norland of Worth asked and received unanimous consent that Senate Joint Resolution 9 be placed on the calendar under unfinished business.

Senate File 498, a bill for an act relating to the liability for a subrogation claim for medical care or expenses through a medical assistance program, with report of committee recommending passage was taken up for consideration.

McIntee of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 498)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Koenigs
Krewson	Lageschulte	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Pellett	Poncy
Renken	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 1:

Knapp

Absent or not voting, 9:

Chiodo	Cochran	Davitt	Harbor
Lloyd-Jones	Peick	Renaud	Rensink
Schroeder			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 448, a bill for an act relating to the issuance, termination, and requirements for teachers' contracts, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 448 be deferred and placed on the calendar under unfinished business.

ADOPTION OF SENATE CONCURRENT RESOLUTION 22

Groth of Buena Vista called up for consideration Senate Concurrent Resolution 22, a resolution to designate April 20, 1983 as "Iowa Teachers Day," filed on April 8, 1983 and found on pages 1157 and 1158 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

RULE 35 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 35 on the Debate Calendars for Monday, April 18, 1983.

UNFINISHED BUSINESS CALENDAR
(Senate File 178)

Norland of Worth asked and received unanimous consent that Senate File 178 be placed on the calendar under unfinished business.

MOTIONS TO RECONSIDER
(Senate File 221)

I move to reconsider the vote by which Senate File 221 passed the House on April 14, 1983.

SWARTZ of Marshall

(Senate File 327)

I move to reconsider the vote by which Senate File 327 failed to pass the House on April 14, 1983.

JAY of Appanoose

HOUSE CONCURRENT RESOLUTION 25
By Swartz

Whereas, the policy of this state during the last several years has been to provide as much uniformity among the various retirement systems as possible; and

Whereas, there is a need to study the benefits and funding of public retirement systems in chapters 97A (Peace Officers' Retirement System), 410 and 411 (local police and fire retirement systems), 97B (Iowa Public Employees' Retirement System), and 605A (Judicial Retirement System); and

Whereas, the provisions of the Code relating to public retirement systems are complex and a study of these systems requires the time and expertise of an interim study, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Legislative Council is urged to establish a joint subcommittee composed of members of both political parties of the House and Senate Committees on State Government to conduct a study of the funding and benefit levels of the public retirement systems established in this state; and

Be It Further Resolved, That the joint subcommittee shall make a report of its recommendations, accompanied by legislative bill drafts to implement the recommendations, to the Legislative Council and to the General Assembly meeting in 1984.

Laid over under Rule 25.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 14, 1983, he approved and transmitted to the Secretary of State the following bill:

House File 53, an act relating to the donation of blood by persons seventeen years of age or older.

COMMUNICATION FROM SECRETARY OF STATE

April 14, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that Senate File 15 was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa on April 11, 1983 and in The Sioux City Journal, Sioux City, Iowa on April 5, 1983.

I further certify that House File 184 was published in the Telegraph Herald, Dubuque, Iowa on April 13, 1983 and in the Quad City Times, Davenport, Iowa on April 13, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 14, 1983. Had I been present, I would have voted "aye" on Senate File 444.

PONCY of Wapello

I was necessarily absent from the House chamber on Thursday morning, April 14, 1983. Had I been present, I would have voted "aye" on Senate Files 499 and 513.

McINTEE of Black Hawk

I inadvertently voted "aye" on Senate File 500. I intended to vote "nay."

DAGGETT of Taylor

I was necessarily absent from the House chamber on April 14, 1983. Had I been present, I would have voted "aye" on Senate Files 499 and 513.

SWEARINGEN of Keokuk

I was necessarily absent from the House chamber on April 14, 1983. Had I been present, I would have voted "aye" on Senate Files 499 and 513.

HERMANN of Scott

I was necessarily absent from the House chamber on April 13, 1983. Had I been present, I would have voted "aye" on Senate Files 223, 423 and 496.

BRAMMER of Linn

PRESENTATION OF VISITORS

Welden of Hardin presented to the House, the Honorable Dean Corey, former member of the House representing Louisa County.

The Speaker announced that the following visitors were present in the House chamber:

Forty-six senior government students from Belle Plaine, accompanied by Rotary Club of Belle Plaine. By Hummel of Benton.

Thirty-six tenth grade students from Bennett Community Schools, Bennnett, accompanied by Bill Huckstadt and Joe Looker. By Osterberg of Linn.

Eight FFA students from Sidney High School, Sidney, accompanied by Bill Umbaugh. By Royer of Page.

Eighteen eighth grade students from Sully Christian School, Sully, accompanied by Stan Hoogeveen. By Black of Jasper.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 9 (Revised) Ways and Means

Relating to the state inheritance tax and making coordinating amendments.

SUBCOMMITTEE ASSIGNMENTS

House File 616

Finance: Doderer, Chair; Chiodo and Hanson.

House File 617

Finance: Connolly, Chair; Jochum and Krewson.

Senate File 461

Ways and Means: Varn, Chair; Carpenter, Diemer, Oxley and Tabor.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 333

Finance: Halvorson of Webster, Chair; Branstad and Connolly.

Study Bill 334

Ways and Means: O'Kane, Chair; Daggett and Holveck.

Study Bill 335

Ways and Means: Groninga, Chair; Connolly and Lageschulte.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 13, 1983.

COMMITTEE ON FINANCE

House File 575, a bill for an act relating to the rate of interest assessed as a penalty for delinquent property taxes.

Fiscal Note is required.

Recommended **Do Pass** April 14, 1983.

House File 613, a bill for an act relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984.

Fiscal Note is not required.

Recommended **Do Pass** April 14, 1983.

House File 617, a bill for an act relating to reporting and investigation of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange and making an appropriation.

Fiscal Note is required.

Recommended **Do Pass** April 14, 1983.

Senate File 85, a bill for an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominately rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax.

Fiscal Note is required.

Recommended **Do Pass** April 14, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 520), relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 13, 1983.

Committee Bill (Formerly Study Bill 330), to establish an Iowa industrial new jobs training program.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 13, 1983.

AMENDMENTS FILED

H–3758	S.F. 302	Spear of Lee
H–3760	H.F. 312	Koenigs of Mitchell
H–3761	S.F. 380	Running of Linn Van Camp of Scott
H–3762	S.F. 92	Schnekloth of Scott
H–3763	S.F. 159	Skow of Guthrie

H—3764	S.F. 495	Varn of Johnson Doderer of Johnson Chapman of Linn Mullins of Kossuth McIntee of Black Hawk

On motion by Norland of Worth, the House adjourned at 4:20 p.m., until 10:00 a.m., Monday, April 18, 1983.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day—Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 18, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Charles Mehaffey, pastor of the Asbury United Methodist Church, Cedar Rapids.

The Journal of Thursday, April 14, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Nick Palmer, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hammond of Story on request of Holveck of Polk; Halvorson of Clayton, for the morning session, on request of Harbor of Mills; McKean of Jones, until his arrival, on request of Krewson of Polk; Brammer of Linn, for the morning session, on request of Ollie of Clinton.

PETITIONS FILED

The following petitions were received and placed on file:

By Carpenter of Polk from nine hundred fifty-three Iowans opposing House File 312, relating to utility reform, as passed by the House of Representatives.

The following petitions were received opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Gruhn of Dickinson from one hundred sixty-seven constituents.

By Ollie of Clinton from one hundred ten constituents of the 38th District.

By Pavich of Pottawattamie from forty-eight constituents.

By Stromer of Hancock from one hundred sixty-five constituents of the 17th District.

By Stueland of Clinton from fifty constituents.

INTRODUCTION OF BILLS

House File 627, by committee on appropriations, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code.

Read first time and referred to committee on **finance.**

House File 628, by committee on ways and means, a bill for an act relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations, expanding the duties and tenure of the county finance committee, providing for current and noncurrent debt, making coordinating amendments, and continuing certain penalties.

Read first time and referred to committee on **finance.**

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 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 57, a bill for an act relating to the accident report filed by law enforcement officers with the department of transportation.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 150, a bill for an act allowing deaf or blind persons to use and keep hearing or guide dogs and providing a penalty.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 176, a bill for an act providing that a political party or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with another qualified organization to conduct the games of skill, games of chance, or raffles.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 214, a bill for an act providing immunity from liability resulting from assistance in an investigation of child abuse.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 247, a bill for an act requiring the department of social services to prepare and the council on social services to submit a biennial plan relating to the management of the community-based corrections programs and services.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 279, a bill for an act relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 343, a bill for an act authorizing the conservation commission to protect and manage all wild vertebrates.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 364, a bill for an act relating to ways condemned by landowners having no access to their property.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 377, a bill for an act relating to the financing of public projects through bonds, warrants, special assessments, and other obligations, by amending procedures for the issuance of bonds, warrants, special assessments, and other obligations, by providing for the registration of bonds or other obligations, by authorizing interim financing of projects, and making corresponding amendments to the Code.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 437, a bill for an act to legalize proceedings of the city council of the city of La Porte City relating to the letting of certain contracts.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 441, a bill for an act to require manufacturers and importers to provide manufacturer's and importer's certificates in the form prescribed by the department of transportation.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 444, a bill for an act to exempt from registration fees and issue official registration plates for any official vehicle leased for a period of sixty days or more by a governmental body.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 494, a bill for an act relating to certified public accountants, accounting practitioners, and the board of accountancy.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 500, a bill for an act relating to the number of instructors at a school of cosmetology.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 517, a bill for an act to limit the time for filing an action based upon a security interest in farm products to two years from the date of sale of the products.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 518, a bill for an act relating to the amount of money an individual farmer may be loaned under the soil conservation loan program.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 570, a bill for an act regarding the recording of financing statements under the uniform commercial code.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 572, a bill for an act relating to the authority of the court over certain persons who committed crimes.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 577, a bill for an act permitting health maintenance organizations to advertise the names of health professionals providing health care services at the health maintenance organization.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 578, a bill for an act relating to certain information and documents containing certain information, involving persons convicted of crimes.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 581, a bill for an act relating to the penalties for the crime of theft.

Also: That the Senate has on April 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 582, a bill for an act relating to the postconviction procedure act.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 587, a bill for an act relating to motor vehicle licenses by allowing use of minors' school licenses for travel between schools of enrollment, by exempting certain prior holders of minors' school licenses from being required to take a motorcycle education course before being issued operators' licenses, and by exempting certain prior holders of one-year probationary operators' licenses from being required to take approved driver education courses before being issued operators' licenses and providing the bill is effective upon publication.

Also: That the Senate has on April 13, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 606, a bill for an act permitting or requiring a corporation to indemnify a director, officer, employee, or agent of the corporation for judgments, penalties, fines, settlements, and reasonable expenses actually incurred as a defendant or respondent in an administrative or court proceeding.

K. MARIE THAYER, Secretary

RULE 40 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 40 for the immediate consideration of Senate File 85.

CONSIDERATION OF BILLS

Ways and Means Calendar

Senate File 85, a bill for an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominately rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax, with report of committee recommending passage was taken up for consideration.

Stromer of Hancock asked and received unanimous consent to temporarily defer action on Senate File 85.

House File 525, a bill for an act to authorize certain persons to file a claim for the property tax credit on behalf of a deceased homeowner, was taken up for consideration.

Holveck 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. 525)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
Menke	Miller	Muhlbauer	Mullins

Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Brammer	Halvorson, R. A.	Hammond	McKean

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 **Senate File 85**, a bill for an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominately rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax, temporarily deferred.

Schroeder of Pottawattamie offered the following amendment H–3765 filed by him from the floor and moved its adoption:

H–3765

Amend Senate File 85 as amended, passed, and reprinted by the Senate, as follows:

1. Page 13, by inserting after line 30 the following:

"Sec. 29. NEW SECTION. DISSOLUTION. Upon receiving a petition signed by at least ten percent of the qualified voters residing within the limits of a land use district requesting the dissolution of the district, the board of supervisors shall enter an order directing that an election be held for the purpose of submitting to the qualified voters residing within the district the question of dissolving the district. The election shall be held as provided in sections 6 through 8 of this Act. If a majority of the votes cast upon the question is against the land use district, the district shall be dissolved."

2. Page 13, line 31, by striking the number "28" and inserting in lieu thereof the number "29".

A non-record roll call was requested.

The ayes were 35, nays 54.

Amendment H–3765 lost.

Varn 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. 85)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Halvorson, R. N. Schroeder

Absent or not voting, 5:

Brammer	Halvorson, R. A.	Hammond	Maulsby
Ollie			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 527, a bill for an act to remove the sales tax permit fee, was taken up for consideration.

Copenhaver 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?" (H.F. 527)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 3:

Grandia	Paulin	Peick

Absent or not voting, 3:

Brammer	Halvorson, R. A.	Hammond

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 574, a bill for an act relating to the filing of an application for an exemption from the property tax for pollution-control equipment, was taken up for consideration.

O'Kane 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. 574)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Brammer	Halvorson, R. A.	Hammond	Ollie
Royer	Spear		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

House File 100, a bill for an act creating the Iowa advanced technology institute and providing an appropriation, with reports of committee recommending amendment and passage was taken up for consideration.

Groth of Buena Vista offered the following amendment H–3519 filed by the committee on appropriations:

H–3519

Amend House File 100 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. NEW SECTION. 262B.1 ESTABLISHMENT OF IOWA HIGH TECHNOLOGY COMMISSION. The Iowa high technology commission, hereafter referred to as the "commission", is established.

Sec. 2. NEW SECTION. 262B.2 POWERS AND DUTIES. The commission shall:

1. Promote, develop, and coordinate education and research development programs in the fields of advanced technology.

2. Seek to improve the quality and quantity of graduates from the institutions of higher education in Iowa in fields of advanced technology, advance the research capabilities of the institutions of higher education, provide incentives to attract and retain superior faculty members at the institutions of higher education, and enhance the economic health of the state through encouraging investment by both governmental and private sources in educational programs which promote advanced technology and research and development.

3. Establish priorities to encourage development in agriculture and industrial technology most closely related to the state's current economy and review the priorities to facilitate possible future changes in the economy.

4. Consider and award grants on a project basis to an educational institution or commercial entity in which an educational institution has an ownership interest, for any of the following:

a. Further research on an idea, process, or product

to determine potential for commercially feasible application.

b. Product development and testing.

c. Market analysis.

d. Public investment in commercial development in conjunction with private investment.

Sec. 3. NEW SECTION. 262B.3 IOWA HIGH TECHNOLOGY COMMISSION. The Iowa high technology commission, hereafter referred to as the "commission", is created. Membership of the commission shall be as follows:

1. The designee of the state board of regents.

2. One state representative and one state senator selected by the speaker of the house of representatives and the president of the senate respectively who shall serve in an advisory capacity and shall not vote in any final actions of the commission.

3. Four members appointed by the governor, subject

Page 2

to confirmation by the senate. One member shall represent the agricultural industry and one from the technology industry in the state. The appointees in this subsection shall serve for a term of four years until their successors are appointed and qualified.

Vacancies on the commission shall be filled for the unexpired term in the same manner as original appointments.

The commissioners shall not receive per diem but shall receive reimbursement for actual and necessary expenses incurred in their duties as commissioners. The expense moneys paid to nonlegislative members shall be paid from funds appropriated to the commission. Legislative members of the commission shall receive payment pursuant to section 2.10 and section 2.12.

Sec. 4. NEW SECTION. 262B.4 ORGANIZATION OF COMMISSION—RULES. The commission shall select a chairperson and other officers as the commission may determine. The commission shall adopt rules pursuant to chapter 17A to implement this chapter.

Sec. 5. NEW SECTION. 262B.5 GRANTS, GIFTS, AND BEQUESTS. The commission may receive and expend grants, gifts, and bequests, including but not limited to appropriations, federal funding, and other funding available for the purposes pursuant to section 262B.2.

Sec. 6. NEW SECTION. 262B.6 CONTRIBUTIONS FROM PRIVATE INDUSTRY.

1. The commission may accept contributions of advanced technology equipment, grants, gifts, and

bequests from advanced technology companies. A company may designate the institution of higher education the contribution is awarded to or may provide a nondesignated contribution.

2. Equipment, grants, gifts, or bequests which are not designated pursuant to subsection 1 shall be utilized for agricultural research or advanced technology industry-generated research conducted in equipped laboratories at the institutions of higher education and for maintaining state of the art laboratory equipment at the institutions.

Sec. 7. NEW SECTION. 262B.7 OPERATIONS OF COMMISSION. A public investment in commercial development by the commission may be made only in Iowa and in conjunction with private investment and shall be reflected in a public ownership interest in the commercial entity which is established. The public ownership interest shall be negotiated with the other investing parties, including but not limited

Page 3

to, educational institutions, inventors, and private investors. A provision relating to the terms of ownership and the circumstances of disposal of the public ownership interest shall be made at the time of investment.

Upon the disposition of a public investment, one half of the proceeds beyond the original investment shall be available for research support at the educational institutions making application for support under this chapter. The remainder of the proceeds attributable to an educational institution ownership interest shall be available for support and investment pursuant to this chapter.

All support and investment authorized by this chapter shall be made consistent with the rules and policies concerning property rights, patents, copyrights, and intellectual property of the educational institutions involved in each project.

Sec. 8. NEW SECTION. 262B.8 ADVISORY ASSISTANCE. The commission may appoint advisory committees or individuals to advise and assist the commission and suggest solutions to the problems and needs of advanced technology industries and institutions of higher education.

Sec. 9. NEW SECTION. 262B.9 COMMISSION FUNDING. There is appropriated from the general fund of the state to the Iowa high technology commission for the fiscal biennium beginning July 1, 1983 and ending June 30, 1985 the sum of two million (2,000,000)

dollars to fund the projects. In addition, there is appropriated from the general fund of the state an amount for operations of the commission but not to exceed one hundred thousand (100,000) dollars for the fiscal year beginning July 1, 1983 and ending June 30, 1984.

The appropriations from the state general fund in this section shall be in addition to and separate from the appropriations from the state general fund which may be made to an institution of higher education in the state.

Sec. 10. Two of the appointed commissioners pursuant to section 262B.3, subsection 3, shall initially serve a two-year term and two of the commissioners shall initially serve a four-year term."

2. Title page, by striking line 1 and inserting in lieu thereof the words "An Act creating the Iowa high technology commission and".

Koenigs of Mitchell in the chair at 10:45 a.m.

Groth of Buena Vista offered the following amendment H—3619, to the committee amendment H—3519, filed by him and Welden of Hardin and moved its adoption:

H—3619

Amend H—3519 to House File 100 as follows:

1. Page 1, line 4, by striking the figure "262B.1" and inserting in lieu thereof the figure "28.35".

2. Page 1, line 8, by striking the figure "262B.2" and inserting in lieu thereof the figure "28.36".

3. Page 1, line 40, by striking the figure "262B.3" and inserting in lieu thereof the figure "28.37".

4. Page 2, line 18, by striking the figure "262B.4" and inserting in lieu thereof the figure "28.38".

5. Page 2, line 23, by striking the figure "262B.5" and inserting in lieu thereof the figure "28.39".

6. Page 2, line 28, by striking the figure "262B.6" and inserting in lieu thereof the figure "28.40".

7. Page 2, line 43, by striking the figure "262B.7" and inserting in lieu thereof the figure "28.41".

8. Page 3, line 19, by striking the figure "262B.8" and inserting in lieu thereof the figure "28.42".

9. Page 3, line 25, by striking the figure "262B.9" and inserting in lieu thereof the figure "28.43".

10. Page 3, line 28, by striking the word "biennium" and inserting in lieu thereof the word "year".

11. Page 3, line 29, by striking the figure "1985"

and inserting in lieu thereof the figure "1984".

12. Page 3, by inserting after line 40 the following:

"Notwithstanding section 8.33, unencumbered or unobligated funds appropriated by this section for the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall not revert to the general fund of the state."

13. Page 3, line 42, by striking the figure "262B.3" and inserting in lieu thereof the figure "28.37".

Amendment H—3619 was adopted.

On motion by Groth of Buena Vista, the committee amendment H—3519, as amended, was adopted placing out of order the following amendments:

H—3424 filed by the committee on appropriations on March 28, 1983.

H—3438, to the committee amendment H—3424, filed by Jochum of Dubuque on March 29, 1983.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 100)

The ayes were, 87:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. N.	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Osterberg
Oxley	Parker	Paulin	Pavich

Peick	Pellett	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tofte
Torrence	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker (Koenigs)	

The nays were, 9:

Branstad	Doderer	Gronstal	McKean
Renken	Skow	Tabor	Van Camp
Welden			

Absent or not voting, 4:

Brammer	Halvorson, R. A.	Hammond	Ollie

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 173 WITHDRAWN

Swearingen of Keokuk asked and received unanimous consent to withdraw House File 173 from further consideration by the House.

SENATE FILES 495 AND 302 DEFERRED

Norland of Worth asked and received unanimous consent that Senate Files 495 and 302 be temporarily deferred and that the bills retain their place on the calendar.

Unfinished Business Calendar

The House resumed consideration of **Senate File 402**, a bill for an act to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license, deferred and placed on the unfinished business calendar April 8, 1983.

Zimmerman of Dallas moved to suspend the rules to consider amendment H—3412, ruled not germane on April 8, 1983 and found on page 1134 of the House Journal.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 50, nays 47.

The motion, having failed to receive a constitutional majority, lost.

Maulsby of Calhoun offered the following amendment H–3582 filed by him and moved its adoption:

H–3582

Amend Senate File 402 as follows:
1. Page 1, by inserting after line 10 the following:
"Sec. 2. This act, being deemed of immediate importance, takes effect from and after its publication in the Lake City Graphic, a newspaper published in Lake City, Iowa, and in the Quad City Times, a newspaper published in Davenport, Iowa."

A non-record roll call was requested.

The ayes were 38, nays 53.

Amendment H–3582 lost.

Speaker Avenson in the chair at 11:00 a.m.

Zimmerman 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?" (S.F. 402)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Holveck	Hughes

Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Brammer	Halvorson, R. A.	Hammond	Haverland
Ollie			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED

Gronstal of Pottawattamie called up for consideration **House File 37**, a bill for an act relating to the use of polygraph examinations as a condition of employment and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H–3713:

H–3713

Amend House File 37 as amended, passed and reprinted by the House as follows:

1. Page 1, by striking lines 9 through 16 and inserting in lieu thereof the following: "examination as a condition of employment is guilty of a simple misdemeanor."

2. Page 1, by inserting after line 16 the following:

"Sec. . Section 2 shall not apply to the state or a political subdivision of the state when in the process of selecting a candidate for employment as a peace officer."

3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3713.

Gronstal 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. 37)

The ayes were, 69:

Arnould	Baxter	Black	Blanshan
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hanson	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Schroeder
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Van Gerpen	Varn	Zimmerman
Mr. Speaker			

The nays were, 28:

Anderson	Bennett	Branstad	Corey
Daggett	De Groot	Grandia	Handorf
Harbor	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Maulsby	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Spear	Stromer	Stueland	Torrence
Van Camp	Van Maanen	Welden	Woods

Absent or not voting, 3:

Brammer	Halvorson, R. A.	Hammond

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:

Krewson of Polk, for the remainder of the morning, on request of McKean of Jones.

Lonergan of Boone called up for consideration **House File 135,** a bill for an act establishing time limits for obligations of distributors relating to the pickup of beverage containers, amended by the Senate, and moved that the House concur in the following Senate amendment H–3714:

H–3714

Amend House File 135 as amended, passed and reprinted by the House, as follows:

1. Page 1, line 12, by inserting after the word "containers" the words "or when the dealer or redemption center normally pays the distributor for the deposit on beverage products purchased from the distributor if less frequent than weekly. A distributor or employee or agent of a distributor is not in violation of this subsection if a redemption center is closed when the distributor attempts to make a regular delivery or a regular pickup of empty beverage containers".

A non-record roll call was requested.

The ayes were 50, nays 42.

The motion prevailed and the House concurred in the Senate amendment H–3714.

Lonergan of Boone 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. 135)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr

Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Brammer	Chapman	Halvorson, R. A.	Hammond
Krewson	Ollie		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Varn of Johnson called up for consideration **House File 315**, a bill for an act to increase the jurisdictional amount of small claims court to two thousand dollars and to increase the small claims docket fee, amended by the Senate, and moved that the House concur in the following Senate amendment H—3712:

H—3712

Amend House File 315 as amended, passed, and reprinted by the House as follows:

1. Page 1, by inserting after line 26 the following:

"Sec. 5. If a court having proper jurisdiction declares section 1 of this Act unconstitutional because the dollar amount is excessive for a court which does not provide a jury trial, the amount in controversy

provided in section 1 shall revert to one thousand dollars."

The motion prevailed and the House concurred in the Senate amendment H—3712.

Varn of Johnson 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. 315)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 1:

O'Kane

Absent or not voting, 5:

Brammer	Halvorson, R. A.	Hammond	Krewson
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Chapman of Linn called up for consideration **House File 317**, a bill for an act relating to the licensing of public school boards for the purpose of conducting gambling activities, amended by the Senate, and moved that the House concur in the following Senate amendment H–3710:

H–3710

Amend House File 317 as passed by the House, as follows:

1. Page 1, line 12, by inserting after the word "section." the following: "However, a board of directors of a public school shall not spend or authorize the expenditure of public funds for the purpose of purchasing a license."

The motion prevailed and the House concurred in the Senate amendment H–3710.

Chapman of Linn 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. 317)

The ayes were, 81:

Anderson	Arnould	Baxter	Blanshan
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Daggett
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 15:

Bennett	Black	Branstad	Clark
Corey	De Groot	Grandia	Maulsby
Menke	Paulin	Pellett	Renken
Rensink	Stueland	Van Maanen	

Absent or not voting, 4:

Brammer	Halvorson, R. A.	Hammond	Krewson

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Swartz of Marshall called up for consideration **House File 448**, a bill for an act providing for the regulation of residential maintenance service companies by the commissioner of insurance, and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H–3711:

H–3711

Amend House File 448 as amended, passed and reprinted by the House as follows:

1. Page 2, line 15, by striking the words "five hundred" and inserting in lieu thereof the words "two hundred fifty".

2. Page 8, by inserting after line 20 the following:

"Sec. 15. NEW SECTION. RATE REVIEW. Using the information obtained in the annual reports and any additional information requested by the commissioner, the commissioner shall evaluate the fees charged for the residential service contract to determine if they are reasonable in relation to the value of the claims made. The commissioner may order an adjustment of the fees if the commissioner determines that the fees are not reasonable in relation to the value of the claims made."

3. Page 8, by striking lines 21 through 25 and inserting in lieu thereof the following:

"Sec. 16. NEW SECTION. ANNUAL REPORT. A licensed service company shall file with the commissioner an annual report within ninety days of the close of its fiscal year. The annual report shall be in a form prescribed by the commissioner and contain all of the following:

1. A current financial statement including a balance sheet and statement of operations prepared

in accordance with generally accepted accounting principles and certified by an independent certified public accountant.

2. The number of residential service contracts issued during the preceding fiscal year, the number canceled or expired during the year, the number in effect at year end and the amount of residential service contract fees received.

3. Any other information relating to the performance and solvency of the residential service company required by the commissioner."

4. Page 9, by inserting after line 7 the following:

"4. A service contract, guarantee or warranty issued by a retail merchant to a retail customer, guaranteeing or warranting the repair, service or replacement of appliances or electrical, plumbing, heating, cooling or air conditioning systems sold by said retail merchant."

5. Renumber to conform with this amendment.

The motion prevailed and the House concurred in the Senate amendment H—3711.

Swartz of Marshall 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. 448)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud

Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Spear

Absent or not voting, 4:

Brammer	Halvorson, R. A.	Hammond	Krewson

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Miller of Woodbury called up for consideration **House File 528**, a bill for an act relating to the revision of the juvenile victim restitution program, amended by the Senate, and moved that the House concur in the following Senate amendment H–3709:

H–3709

Amend House File 528 as amended, passed, and reprinted by the House, as follows:

1. Page 1, by striking lines 12 through 25 and inserting in lieu thereof the following: "agency. The primary purpose of the program is to provide funds to compensate victims for losses due to the delinquent acts of juveniles."

2. Page 2, by inserting after line 7, the following:

"Sec. . NEW SECTION. RESTITUTION FOR DELINQUENT ACTS. If a judge of a juvenile court finds that a juvenile has committed a delinquent act and requires the juvenile to compensate the victim of that act for losses due to the delinquent act of the juvenile, the juvenile shall make such restitution according to a schedule established by the judge from funds earned by the juvenile pursuant to employment engaged in by the juvenile at the time of disposition. If a juvenile enters into an informal adjustment agreement pursuant to section 232.29 to make such restitution, the juvenile shall make such restitution according to a schedule which shall be a part of the informal adjustment agreement. The restitution shall be made

under the direction of a probation officer working under the direction of the juvenile court. In those counties where the county maintains an office to provide juvenile victim restitution services, the probation officer may use that office's services. If the juvenile is not employed, the juvenile's probation officer shall make a reasonable effort to find private or other public employment for the juvenile. However, if the juvenile offender does not have employment at the time of disposition and private or other public employment is not obtained despite the efforts of the juvenile's probation officer, the judge may direct the juvenile offender to perform work pursuant to section 232.52, subsection 2, paragraph "a", and arrange for compensation of the juvenile in the manner provided for under the program established pursuant to this Act."

The motion prevailed and the House concurred in the Senate amendment H—3709.

Miller of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 528)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz

Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Brammer	Halvorson, R. A.	Hammond	Krewson
Rensink			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT

Black of Jasper asked and received unanimous consent to change his vote from "aye" to "nay" on House File 317 and the vote was so recorded.

Hughes of Union called up for consideration **House File 592**, a bill for an act relating to securities exempt from registration under the Iowa uniform securities Act, amended by the Senate, and moved that the House concur in the following Senate amendment H—3715:

H—3715

Amend House File 592 as passed by the House as follows:

1. Page 1, by inserting after line 8 the following:

"Sec. 2. Section 502.202, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Any security issued in exchange for any issued and outstanding security of a co-operative association, as defined in the Agricultural Marketing Act, or a federation of such co-operatives which possess no greater powers or purposes than co-operative associations so defined, if such exchange is a part of a merger or consolidation of two or more such co-operative associations."

The motion prevailed and the House concurred in the Senate amendment H—3715.

Hughes of Union 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. 592)

The ayes were, 89:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Branstad	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fogarty
Grandia	Groninga	Gronstal	Groth
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 4:

Buhr	Copenhaver	Hummel	Koenigs

Absent or not voting, 7:

Brammer	Fey	Gruhn	Halvorson, R. A.
Hammond	Krewson	Parker	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On motion by Norland of Worth, the House was recessed at 11:40 a.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent that the following bills be immediately messaged to the Senate: Senate Files 325, 336, 444, 452, 471, 493, 496 and 513.

HOUSE FILE 293 WITHDRAWN

Varn of Johnson asked and received unanimous consent to withdraw House File 293 from further consideration by the House.

MOTION TO RECONSIDER PREVAILED
(Senate File 223)

Chiodo of Polk called up for consideration the motion to reconsider Senate File 223, filed on April 12, 1983, and moved to reconsider the vote by which Senate File 223, a bill for an act relating to real property loans by increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program, creating residential mortgage marketing and interest reduction programs, authorizing loan processing fees, and payment reduction fees, and making an appropriation, passed the House and was placed on its last reading on April 12, 1983.

Roll call was requested by Chiodo of Polk and Norland of Worth.

Rule 76 was invoked.

On the question "Shall Senate File 223 be reconsidered?"

The ayes were, 51:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Chiodo	Connolly	Connors	Copenhaver
Corey	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Harbor	Haverland
Hermann	Hoffmann-Bright	Hughes	Jochum
Lloyd-Jones	McIntee	Miller	Norland
O'Kane	Ollie	Parker	Peick
Poncy	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Tabor
Tofte	Varn	Mr. Speaker	

The nays were, 47:

Anderson	Branstad	Carpenter	Carter
Chapman	Clark	Cochran	Cooper
Daggett	Davitt	De Groot	Diemer
Grandia	Handorf	Hanson	Holveck
Hummel	Jay	Koenigs	Krewson
Lageschulte	Lonergan	Maulsby	McKean
Menke	Muhlbauer	Mullins	Osterberg
Oxley	Paulin	Pavich	Pellett
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Sullivan	Swearingen
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden	Woods	Zimmerman	

Absent or not voting, 2:

Hammond	Knapp

The motion prevailed and the House reconsidered Senate File 223.

The House stood at ease at 2:54 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 223 at 3:50 p.m., Speaker Avenson in the chair.

Chiodo of Polk asked for unanimous consent to reconsider the committee amendment H—3578.

Objection was raised.

Chiodo of Polk moved to reconsider the vote by which the committee amendment H—3578, as amended, was adopted by the House on April 13, 1983.

A non-record roll call was requested.

The ayes were 48, nays 51.

The motion lost.

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?" (S.F. 223)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Maulsby	Welden

Absent or not voting, 1:

Hammond

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 223)

Norland of Worth asked and received unanimous consent that Senate File 223 be immediately messaged to the Senate.

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of **Senate File 495**, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, and the committee amendment H—3591A, as amended, deferred and placed on the unfinished business calendar on April 12, 1983.

Haverland of Polk called up for consideration the motion to reconsider amendment H—3650 filed by him on April 12, 1983.

Poncy of Wapello in the chair at 4:17 p.m.

Speaker Avenson in the chair at 4:38 p.m.

Haverland of Polk moved to reconsider the vote by which amendment H—3650, to the committee amendment H—3591, was adopted by the House on April 12, 1983.

Roll call was requested by Harbor of Mills and Royer of Page.

Rule 76 was invoked.

On the question "Shall amendment H—3650 be reconsidered?"

The ayes were, 52:

Arnould	Baxter	Blanshan	Brammer
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Connolly	Diemer
Fey	Fogarty	Groninga	Gronstal
Groth	Halvorson, R. N.	Hanson	Haverland
Hermann	Holveck	Hughes	Jay
Jochum	Krewson	Lloyd-Jones	Lonergan
McIntee	Miller	Norland	O'Kane
Ollie	Osterberg	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Schnekloth	Shoultz	Spear	Sturgeon
Sullivan	Swartz	Tabor	Van Gerpen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 47:

Anderson	Bennett	Black	Branstad
Buhr	Cochran	Connors	Cooper

Copenhaver	Corey	Daggett	Davitt
De Groot	Doderer	Grandia	Gruhn
Halvorson, R. A.	Handorf	Harbor	Hoffmann-Bright
Hummel	Knapp	Koenigs	Lageschulte
Maulsby	McKean	Menke	Muhlbauer
Mullins	Oxley	Paulin	Pavich
Pellett	Renken	Rensink	Royer
Schroeder	Sherzan	Skow	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 1:

Hammond

The motion prevailed (placing out of order the motion to reconsider filed by Schroeder of Pottawattamie on April 12, 1983) and the House reconsidered amendment H—3650 found on pages 1219 through 1221 of the House Journal.

Harbor of Mills moved the adoption of amendment H—3650, to the committee amendment H—3591.

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

Rule 76 was invoked.

On the question "Shall amendment H—3650 be adopted?"

The ayes were, 49:

Anderson	Bennett	Black	Branstad
Buhr	Chiodo	Cochran	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Doderer	Fogarty
Grandia	Gruhn	Halvorson, R. A.	Handorf
Harbor	Hoffmann-Bright	Hummel	Knapp
Koenigs	Lageschulte	Maulsby	McKean
Menke	Muhlbauer	Mullins	Oxley
Paulin	Pavich	Pellett	Renken
Rensink	Royer	Schroeder	Sherzan
Skow	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 50:

Arnould	Baxter	Blanshan	Brammer
Carl	Carpenter	Carter	Chapman

Clark	Connolly	Diemer	Fey
Groninga	Gronstal	Groth	Halvorson, R. N.
Hanson	Haverland	Hermann	Holveck
Hughes	Jay	Jochum	Krewson
Lloyd-Jones	Lonergan	McIntee	Miller
Norland	O'Kane	Ollie	Osterberg
Parker	Peick	Poncy	Renaud
Rosenberg	Running	Schnekloth	Shoultz
Spear	Sturgeon	Sullivan	Swartz
Tabor	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 1:

Hammond

Amendment H—3650 lost.

SENATE FILE 495 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 495 be deferred and that the bill retain its place on the unfinished business calendar.

RULE 35 SUSPENDED

Norland of Worth asked for unanimous consent to suspend Rule 35.

Objection was raised.

Norland of Worth moved to suspend Rule 35 and dispense with the Weekly Debate Calendar for the remainder of the session.

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

On the question "Shall Rule 35 be suspended?"

The ayes were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga

Gronstal	Groth	Gruhn	Halvorson, R. N.
Harbor	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 2:

Hammond	Tofte

The motion prevailed and Rule 35 was suspended.

MOTION TO RECONSIDER
(House File 100)

I move to reconsider the vote by which House File 100 passed the House on April 18, 1983.

OSTERBERG of Linn

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 477, a bill for an act to prohibit the filing of school district reorganization petitions with an area education agency within six months after the occurrence of certain conditions.

Also: That the Senate has on April 18, 1983, 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 177, a bill for an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs.

K. MARIE THAYER, Secretary

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 15, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 51, an act relating to workers' compensation coverage and employers' liability coverage provided to corporate officers who voluntarily reject workers' compensation coverage.

Senate File 158, an act authorizing the board of supervisors to purchase blanket surety bonds for certain county officers and employees and authorizing the state to purchase blanket surety bonds for state officers.

Senate File 428, an act to legalize the proceedings of the Board of Directors of the Indian Hills Community College (Merged Area XV) in the counties of Appanoose, Davis, Decatur, Henry, Iowa, Jefferson, Keokuk, Lee, Lucas, Mahaska, Marion, Monroe, Poweshiek, Van Buren, Wapello, Washington and Wayne and the Wapello County Commissioner of Elections in connection with an election authorizing the levy of a tax and declaring the validity of said election and the validity of taxes levied pursuant thereto.

EXPLANATION OF VOTE

I was temporarily absent from the House chamber on Thursday, April 14, 1983. Had I been present, I would have voted "aye" on Senate Joint Resolution 10.

RENSINK of Sioux

PRESENTATION OF VISITORS

Skow of Guthrie presented to the House the Honorable Kenneth Robinson, former member of the House, representing Guthrie County.

The Speaker announced that the following visitors were present in the House chamber:

Fifteen Junior Government students from Amana High School, Amana, accompanied by Frau Marietta Moershel and Dennis Schragg. By Varn of Johnson.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1983-11	Members of Iowa's Civilian Conservation Corps
1983-12	Maurice-Orange City Community School District — recognition as one of the five top public high schools in the state

JOSEPH O'HERN
Chief Clerk of 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 616, a bill for an act relating to the organization and functions of the department of revenue and the state board of tax review.

Fiscal Note is required.

Recommended **Do Pass** April 18, 1983.

House File 620, a bill for an act to allow setoffs against state income tax refunds or rebates any claims to recoup public assistance overpayments by the department of social services.

Fiscal Note is required.

Recommended **Do Pass** April 18, 1983.

House File 621, a bill for an act removing the aggregate taxable values of real estate in a school district from a county assessor's annual abstract of real and personal property.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 1983.

House File 622, a bill for an act relating to the prepayment of special assessment installments.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 1983.

House File 623, a bill for an act to establish an Iowa industrial new jobs training program.

Fiscal Note is required.

Recommended **Do Pass** April 18, 1983.

Senate File 14, a bill for an act to exempt the state, its agencies, and political subdivisions of the state from the tax on motor fuel where the motor fuel is used for a public purpose and delivered into storage tanks owned or used exclusively by the state, its agencies, or a political subdivision of the state.

Fiscal Note is required.

Recommended **Do Pass** April 18, 1983.

Senate File 208, a bill for an act authorizing the issuance of industrial revenue bonds under chapter 419 for museums, libraries, and tourist information centers.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 1983.

AMENDMENTS FILED

H—3766	H.F.	582	Senate Amendment
H—3767	H.F.	581	Senate Amendment
H—3768	H.F.	518	Senate Amendment
H—3769	H.F.	494	Senate Amendment
H—3770	H.F.	377	Senate Amendment
H—3771	H.F.	343	Senate Amendment
H—3772	H.F.	279	Senate Amendment
H—3773	H.F.	214	Senate Amendment

H–3774	H.F.	176	Senate Amendment
H–3775	S.F.	495	Spear of Lee
H–3776	H.F.	624	Stueland of Clinton
H–3778	S.F.	495	Jay of Appanoose
H–3779	S.F.	495	Corey of Louisa
H–3780	S.F.	495	Varn of Johnson Doderer of Johnson
H–3781	S.F.	495	Jay of Appanoose Varn of Johnson McIntee of Black Hawk Swartz of Marshall
H–3782	S.F.	495	Swartz of Marshall Parker of Jasper
H–3783	S.F.	495	Groth of Buena Vista
H–3784	H.F.	477	Senate Amendment
H–3785	S.F.	177	Senate Amendment
H–3786	S.F.	302	Knapp of Dubuque
H–3787	S.F.	302	Rosenberg of Story
H–3788	S.F.	302	Rosenberg of Story
H–3789	H.F.	625	Schroeder of Pottawattamie
H–3790	H.F.	30	Paulin of Plymouth

On motion by Norland of Worth, the House adjourned at 5:50 p.m., until 9:00 a.m., Tuesday, April 19, 1983.

JOURNAL OF THE HOUSE

One Hundredth Calendar Day — Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 19, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Dennis Boogerd, pastor of the Leighton Christian Reformed Church, Leighton.

The Journal of Monday, April 18, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stan Haugland, Des Moines.

PETITIONS FILED

The following petitions were received and placed on file:

By Handorf of Marshall from thirty-two residents of the 75th District opposing the New Comparative Negligence Doctrine as stated by the Supreme Court of Iowa on December 22, 1982.

By Sullivan of Van Buren from sixty residents of Des Moines County opposing the use of condemnation procedures in acquiring land for outdoor recreation and urging the restriction of any land rights use to those acquisitions, leases, or easements obtained from owners willing to sell or lease their land or grant the easements.

The following petitions were received opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Bennett of Ida, from fifty-five constituents of the 4th District.

By Brammer of Linn, from one hundred ten constituents of the 50th District.

By Connors of Polk, from fifty-nine constituents.

By Cooper of Lucas, from fifty-seven constituents of the 67th District.

By Gruhn of Dickinson, from one hundred twenty-five constituents of the 12th District.

By Hermann of Scott, from fifty-five Scott County residents.

By Hughes of Union, from one hundred ten constituents.

By Jochum of Dubuque, from two thousand seven hundred fifty residents.

By Lonergan of Boone, from fifty-five constituents of the 87th District.

By Menke of O'Brien, from fifty-five constituents of the 7th District.

By Ollie of Clinton, from one thousand fourteen constituents.

By Poncy of Wapello, from one hundred three constituents of the 65th District.

By Renaud of Polk, from fifty-five constituents.

By Schroeder of Pottawattamie, from sixty constituents of the 98th District.

By Stueland of Clinton, from one hundred ten constituents.

By Sullivan of Van Buren, from fifty-five petitioners from the city of Keokuk.

By Van Camp of Scott, from fifty-five constituents.

INTRODUCTION OF BILL

House File 629, by Blanshan, a bill for an act to provide that agricultural commodities received under the 1983 payment-in-kind

program of the United States department of agriculture shall be considered as if the agricultural commodity was produced by the owner for state income tax purposes.

Read first time and referred to committee on **ways and means.**

SENATE MESSAGE CONSIDERED

Senate File 244, by committee on labor and industrial relations, a bill for an act relating to the care given under workers' compensation medical benefits.

Read first time and referred to committee on **labor and industrial relations.**

Unfinished Business Calendar

The House resumed consideration of **Senate File 495,** a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, and the committee amendment H—3591A, as amended (found on pages 1214 through 1218 of the House Journal), deferred and retained on the unfinished business calendar on April 18, 1983.

Jay of Appanoose offered the following amendment (previously deferred) H—3685, to the committee amendment H—3591A, filed by him and Swartz of Marshall and moved its adoption:

H—3685

Amend amendment, H—3591, to Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting before line 3 the following:

"1. Page 14, line 9, by inserting after the words "OFFICES" the words "—SALARY LIMITATION".

2. Page 1, by striking lines 3 through 5 and inserting in lieu thereof the following:

"2. Page 14, by striking lines 12 through 15 and inserting in lieu thereof the following: "judicial district. A clerk of the district court shall not receive a salary in excess of the highest salary paid

to the county auditor, the county treasurer, or the county recorder in the county in which the clerk serves."

Amendment H—3685 was adopted, placing out of order amendment H—3671 filed by Jay of Appanoose on April 11, 1983.

Jay of Appanoose offered the following amendment H—3781, to the committee amendment H—3591A, filed by Jay, et al., and requested division as follows:

H—3781

Amend amendment, H—3591, to Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

H—3781A

1. Page 1, by inserting before line 3 the following:

" . Page 8, by inserting after line 32 the following:

"Sec. . NEW SECTION. 602.1214A PUBLIC HEARINGS—CLERK OF THE DISTRICT COURT. Prior to the appointment of a clerk of the district court, the district judges of the judicial election district shall publicize the procedure for applying for the appointment. Upon the petition of one hundred qualified electors of the county to the district judges, the district judges shall conduct a public hearing to receive comments and recommendation concerning the appointment of a clerk. Upon the petition of one hundred qualified electors of the county to the district court that a clerk is remiss in the performance of the clerk's public duties, the district judges shall conduct a public hearing to receive comments and recommendations concerning the removal of the clerk. Following the hearing, the district judges shall remove the clerk from office or shall take measures to correct any problems in the performance of the clerk's public duties. The district judges shall conduct a public hearing not less than four months but no more than six months from the date of the original hearing to assess the current performance of the clerk's duties.

Sec. . NEW SECTION. 602.1214B RETENTION OF CLERKS OF THE DISTRICT COURT. In addition to removal from office under section 602.1214, a clerk of the

district court may be removed from office by the county electors. A clerk of the district court shall stand for retention in office, in the county of the clerk's office, upon the petition of ten percent of all eligible and registered electors in the county to the state commissioner of elections, at the judicial election in 1988 and every four years thereafter, under sections 46.17 through 46.24. A clerk who is not retained in office is ineligible to serve as clerk, in the county in which the clerk was not retained, for the four years following the retention vote."

H-3781B

. Page 14, line 9, by inserting after the words "OFFICES" the words "-SALARY LIMITATION" ".

2. Page 1, by striking lines 3 through 5 and inserting in lieu thereof the following:

" . Page 14, by striking lines 12 through 15

Page 2

and inserting in lieu thereof the following: "judicial district. A clerk of the district court shall not receive a salary in excess of the highest salary paid to the county auditor, the county treasurer, or the county recorder in the county in which the clerk serves." "

H-3781C

3. Page 3, by inserting after line 16 the following:

" . Page 104, by inserting after line 9 the following:

"Sec. . Section 46.20, Code 1983, is amended to read as follows:

46.20 DECLARATION OF CANDIDACY. At least ninety days prior to the judicial election preceding expiration of ~~his or her~~ the initial or regular term of office, a judge of the supreme court, court of appeals or district court including district associate judges, or a clerk of the district court who is required to stand for retention under section 602.1214B may file a declaration of candidacy with the state commissioner of elections~~, whereupon such judge shall~~ to stand for retention or rejection at that election. If a judge or clerk fails to file ~~such~~ the declaration, ~~his or her~~ the office shall be vacant at the end of ~~his or her~~ the term. District associate judges filing

~~such~~ a the declaration shall stand for retention in the judicial election district of their residence.

Sec. . Section 46.21, Code 1983, is amended to read as follows:

46.21 CONDUCT OF ELECTIONS. At least fifty-five days prior to each judicial election, the state commissioner of elections shall certify to the county commissioner of elections of each county a list of the judges of the supreme court, court of appeals and district court including district associate judges, and clerks of the district court to be voted on in ~~such~~ each county at that election. The county commissioner of elections shall place the names upon the ballot in the order in which they appear in the certificate, unless only one county is voting thereon. The state commissioner of elections shall rotate the names in the certificate by county, or the county commissioner of elections shall rotate them upon the ballot by precinct if only one county is voting thereon. The names of all judges and clerks to be voted on shall be placed upon one ballot, which shall be in substantially the following form:

STATE OF IOWA
JUDICIAL BALLOT
(Date)

Page 3

VOTE ON ALL NAMES BY PLACING AN X IN THE APPROPRIATE BOX AFTER EACH NAME.

SUPREME COURT

Shall the following judges of the Supreme Court be retained in office?

JOHN DOE	YES___	NO___
~~RICHARD~~ JANE ROE	YES___	NO___

COURT OF APPEALS

Shall the following judges of the Court of Appeals be retained in office?

JOHN DOE	YES___	NO___
~~RICHARD~~ JANE ROE	YES___	NO___

DISTRICT COURT

Shall the following judge or associate judge of the District Court be retained in office?

JOHN SMITH	YES___	NO___

Shall the following clerk of the District Court be retained in office?

JANE DOE	YES	NO

Sec. . Section 46.24, Code 1983, is amended to read as follows:

46.24 RESULTS OF ELECTION. A judge of the supreme court, court of appeals, or district court including a district associate judge, or a clerk of the district court must receive more affirmative than negative votes to be retained in office. When the poll is closed, the election judges shall publicly canvass the vote forthwith. The board of supervisors shall canvass the returns at its meeting on Monday after the election, and shall promptly certify the number of affirmative and negative votes on each judge or clerk to the state commissioner of elections.

The state board of canvassers shall, at the time of canvassing the vote cast at a general election, open and canvass all of the returns for the judicial election. Each judge of the supreme court, court of appeals or district court including a district associate judge, or a clerk of the district court who has received more affirmative than negative votes shall receive from the state board of canvassers an appropriate certificate so stating." "

4. Page 3, by inserting after line 21 the following:

" . Page 139, line 4, by inserting after the word "office." the words and figures "The district judges of a judicial election district shall give first and primary consideration for appointment of a clerk of the district court to serve the court beginning in 1989 to a clerk serving on and after July 1, 1986 until the expiration of the clerk's

Page 4

elected term of office." "

5. By renumbering as necessary.

Jay of Appanoose asked and received unanimous consent to withdraw amendment H—3781B.

Schroeder of Pottawattamie asked for unanimous consent to defer action on amendment H—3781A.

Objection was raised.

Jay of Appanoose asked and received unanimous consent to withdraw amendments H—3781A and H—3781C.

McKean of Jones asked and received unanimous consent to withdraw amendment H—3648, to the committee amendment H—3591A, filed by him on April 11, 1983.

On motion by Jay of Appanoose, the committee amendment H—3591A, as amended, was adopted.

Renaud of Polk offered the following amendment H—3649, to the committee amendment H—3591B, filed by Renaud, et al., and moved its adoption:

H—3649

Amend the amendment, H—3591, to Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 6 through 34.

2. Page 4, by inserting after line 9 the following:

" . Page 147, by inserting after line 12 the following:

"Sec. . TEMPORARY SERVICE BY CERTAIN RETIRED JUDICIAL MAGISTRATES. Persons who retired before January 1, 1981 and who were judicial magistrates at the time of retirement and who meet the qualifications of a district associate judge are considered to be district associate judges for the purposes of section 602.1612." "

3. By renumbering as necessary.

Amendment H—3649 was adopted.

On motion by Jay of Appanoose, the committee amendment H—3591B, as amended, was adopted.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3678, to the committee amendment H—3591C, filed by him on April 12, 1983.

Rosenberg of Story asked and received unanimous consent to withdraw amendment H—3670, to the committee amendment H—3591C, filed by him on April 11, 1983.

Jay of Appanoose asked and received unanimous consent to withdraw the committee amendment H—3591C.

On motion by Jay of Appanoose, the committee amendment H—3591D was adopted.

Schroeder of Pottawattamie offered the following amendment H—3669, to the committee amendment H—3591E, filed by him and moved its adoption:

H—3669

Amend the amendment, H—3591, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by striking lines 6 through 22 and inserting in lieu thereof the following:

"2. Rules and forms shall be adopted by the supreme court pursuant to chapter 17A, notwithstanding any contrary provision of that chapter."

Amendment H—3669 lost.

On motion by Jay of Appanoose, the committee amendment H—3591E was adopted.

Jay of Appanoose offered amendment H—3672, to the committee amendment H—3591F, filed by him and McKean of Jones and requested division as follows:

H—3672

Amend the amendment, H—3591, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

H—3672A

1. Page 2, by striking lines 23 through 28.
2. Page 2, by striking lines 32 through 34.

H—3672B

3. Page 3, line 24, by inserting after the figure "28" the following: ", and inserting in lieu thereof the following:

"Sec. 10308. ADDITIONAL JUDGESHIPS. The four additional district judgeships created by section 7201, subsection 10 of this Act, take effect at such time as revenues are appropriated to fund the additional judgeships. As soon as possible after those revenues are appropriated, the supreme court administrator of the judicial department shall rank each judicial election district in descending order based on the application of the judgeship formula provided in section 602.7201. The additional judgeships that are created by section 7201, subsection 10 of this Act, shall be apportioned, one to a judicial election district, among the four judicial election districts having the lowest percentage of their judgeship entitlement under the judgeship formula." "

Jay of Appanoose asked and received unanimous consent to withdraw amendment H–3672A.

On motion by Jay of Appanoose, amendment H–3672B, to the committee amendment H–3591M, was adopted.

On motion by Jay of Appanoose, the committee amendment H–3591F lost.

Jay of Appanoose asked and received unanimous consent to withdraw the committee amendments H–3591G, H–3591H and H–3591I.

Jay of Appanoose asked for unanimous consent to withdraw the committee amendment H–3591J.

Objection was raised.

Chapman of Linn offered amendment H–3658, to the committee amendment H–3591J, filed by her and Miller of Woodbury and requested division as follows:

H–3658

Amend the amendment, H–3591, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

H–3658A

1. By striking page 2, line 40 through page 3, line 15.

2. Page 3, by striking lines 17 and 18.

H–3658B

3. Page 3, by striking lines 19 and 20.

Chapman of Linn asked and received unanimous consent to withdraw amendment H–3658A.

(The committee amendment H–3591J pending at recess.)

On motion by Norland of Worth, the House was recessed at 10:33 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 April 18, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 42, a bill for an act relating to the residence qualifications for election to the office of drainage district trustee.

Also: That the Senate has on April 14, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 119, a bill for an act to revise the duties of assessors relative to the registration and licensing of mobile homes.

Also: That the Senate has on April 14, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 307, a bill for an act relating to treatment of a preexisting medical condition of an inmate.

K. MARIE THAYER, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baxter of Des Moines, for the remainder of the day, on request of Clark of Cerro Gordo.

BUSINESS PENDING AT RECESS

The House resumed consideration of **Senate File 495**, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, and the committee amendment H–3591J (found on page 1216 of the House Journal).

On motion by Jay of Appanoose, the committee amendment H—3591J lost.

Jay of Appanoose moved the adoption of the committee amendment H—3591K.

A non-record roll call was requested.

The ayes were 51, nays 10.

The committee amendment H—3591K was adopted.

Jay of Appanoose asked and received unanimous consent to withdraw the committee amendment H—3591L.

Further division of the committee amendment H—3591M was requested: Line 24, page 3, to be amendment H—3591Q.

Jay of Appanoose asked and received unanimous consent to withdraw the committee amendment H—3591M, placing out of order amendment H—3658B, found on page 1398 of the House Journal.

Jay of Appanoose asked and received unanimous consent to withdraw the committee amendment H—3591N.

On motion by Jay of Appanoose, the committee amendment H—3591O was adopted.

On motion by Jay of Appanoose, the committee amendment H—3591P was adopted.

On motion by Jay of Appanoose, the committee amendment H—3591Q, as amended, was adopted.

Jay of Appanoose offered the following amendment H—3778 filed by him and moved its adoption:

H—3778

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 3, by inserting after line 23 the following:

"4. The supreme court shall accept bids for the printing of court forms from both public and private enterprises and shall attempt to contract with both public and private enterprises for a reasonable portion of the court forms."

Amendment H—3778 was adopted.

Welden of Hardin offered the following amendment H—3647 filed by him and moved its adoption:

H—3647

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, line 14, by inserting after the word "appropriate." the words "The chief justice shall include in the message recommended statutory changes which will eliminate or reduce the amount of unjustified or unrealistic tort claims for damages due to the alleged negligence of the state, a municipality, or any other person."

Amendment H—3647 was adopted.

Doderer of Johnson offered the following amendment H—3683 filed by her and Welden of Hardin and moved its adoption:

H—3683

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 6, by striking lines 12 through 25 and inserting in lieu thereof the following:

"Sec. 1210 NEW SECTION" 602.1210 SELECTION OF CHIEF JUDGES. Not later than December 15 in each odd-numbered year the district judges and district associate judges of each judicial district shall elect a chief judge for the judicial district. The chief judge of a judicial district shall be elected from those district judges and district associate judges who are serving within the district. A chief judge shall serve for a two-year term and is eligible for reelection. The district judges and district associate judges of the judicial election district, by majority vote, may remove a person from the position of chief judge. Vacancies in the office of chief judge shall be filled in the same manner. The election of a chief judge shall be filed with the clerk of the supreme

court, who shall mail a copy to the clerk of the district court in each county in the judicial district."

A non-record roll call was requested.

The ayes were 54, nays 36.

Amendment H—3683 was adopted.

Tabor of Jackson offered the following amendment H—3681 filed by him:

H—3681

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 8, by striking lines 18 through 22 and inserting in lieu thereof the words "which the vacancy exists."

2. Page 8, by inserting after line 32 the following:

"Sec. . NEW SECTION. 602.1214A RETENTION OF CLERKS OF THE DISTRICT COURT. A clerk of the district court shall stand for retention in office, in the county of the clerk's office, at the judicial election in 1988 and every four years thereafter, under sections 46.17 through 46.24."

3. Page 104, by inserting after line 9 the following:

"Sec. . Section 46.20, Code 1983, is amended to read as follows:

46.20 DECLARATION OF CANDIDACY. At least ninety days prior to the judicial election preceding expiration of ~~his or her~~ the initial or regular term of office, a judge of the supreme court, court of appeals or district court including district associate judges, or a clerk of the district court may file a declaration of candidacy with the state commissioner of elections~~, whereupon such judge shall~~ to stand for retention or rejection at that election. If a judge or clerk fails to file ~~such~~ the declaration, ~~his or her~~ the office shall be vacant at the end of ~~his or her~~ the term. District associate judges filing ~~such a~~ the declaration shall stand for retention in the judicial election district of their residence.

Sec. . Section 46.21, Code 1983, is amended to read as follows:

46.21 CONDUCT OF ELECTIONS. At least fifty-five

days prior to each judicial election, the state commissioner of elections shall certify to the county commissioner of elections of each county a list of the judges of the supreme court, court of appeals and district court including district associate judges, and clerks of the district court to be voted on in ~~such~~ each county at that election. The county commissioner of elections shall place the names upon the ballot in the order in which they appear in the certificate, unless only one county is voting thereon. The state commissioner of elections shall rotate the names in the certificate by county, or the county commissioner of elections shall rotate them upon the ballot by precinct if only one county is voting thereon. The names of all judges and clerks to be voted on shall be placed upon one ballot, which shall

Page 2

be in substantially the following form:

STATE OF IOWA
JUDICIAL BALLOT
(Date)

VOTE ON ALL NAMES BY PLACING AN X IN THE APPROPRIATE BOX AFTER EACH NAME.

SUPREME COURT

Shall the following judges of the Supreme Court be retained in office?

JOHN DOE	YES___	NO___
RICHARD ROE	YES___	NO___

COURT OF APPEALS

Shall the following judges of the Court of Appeals be retained in office?

JOHN DOE	YES___	NO___
RICHARD ROE	YES___	NO___

DISTRICT COURT

Shall the following judge or associate judge of the District Court be retained in office?

JOHN SMITH	YES___	NO___

Shall the following clerk of the District Court be retained in office?

JANE DOE	YES	NO

Sec. . Section 46.24, Code 1983, is amended to read as follows:

46.24 RESULTS OF ELECTION. A judge of the supreme court, court of appeals, or district court including a district associate judge, or a clerk of the district court must receive more affirmative than negative votes to be retained in office. When the poll is closed, the election judges shall publicly canvass the vote forthwith. The board of supervisors shall

canvass the returns at its meeting on Monday after the election, and shall promptly certify the number of affirmative and negative votes on each judge or clerk to the state commissioner of elections.

The state board of canvassers shall, at the time of canvassing the vote cast at a general election, open and canvass all of the returns for the judicial election. Each judge of the supreme court, court of appeals or district court including a district associate judge, or a clerk of the district court who has received more affirmative than negative votes shall receive from the state board of canvassers an appropriate certificate so stating."

4. By renumbering as necessary.

Tabor of Jackson offered the following amendment H—3688, to amendment H—3681, filed by him and moved its adoption:

H—3688

Amend the amendment, H—3681, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 11, by inserting after the word "office," the words "upon the petition of ten percent of all eligible and registered electors in the county to the state commissioner of elections,".

2. Page 1, line 13, by inserting after the figure "46.24." the following: "A clerk who is not retained in office is ineligible to serve as clerk, in the county in which the clerk was not retained, for the four years following the retention vote."

3. Page 1, line 23, by inserting after the word "court" the words and figure "who is required to stand for retention under section 602.1214A".

Amendment H—3688 was adopted.

Tabor of Jackson moved the adoption of amendment H—3681, as amended.

Roll call was requested by Tabor of Jackson and Arnould of Scott.

On the question "Shall amendment H—3681, as amended, be adopted?"

The ayes were, 82:

Anderson	Arnould	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Cooper	Daggett	Davitt
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Harbor	Haverland	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Zimmerman	Mr. Speaker		

The nays were, 11:

Bennett	Branstad	Copenhaver	Corey
De Groot	Hanson	Jochum	Lonergan
Rensink	Schnekloth	Welden	

Absent or not voting, 7:

Baxter	Connolly	Connors	Hermann
Knapp	Menke	Woods	

Amendment H—3681, as amended, was adopted.

Corey of Louisa offered the following amendment H—3779 filed by him and moved its adoption:

H—3779

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 8, by striking lines 12 through 22 and inserting in lieu thereof the following:

"1. The county magistrate appointing commission shall by majority vote appoint a clerk of the district court for the county. A person does not qualify for appointment to the office of clerk of the district

court unless the person is at the time of appointment a resident of the county in which the vacancy exists. A clerk of the district court may be removed from office by a majority vote of the commission. Before removal, the clerk of the district court shall be notified of the cause for removal.

2. The commission shall prescribe the contents of an application for the appointment of a clerk pursuant to this section. The commission shall publicize notice of any vacancy to be filled in at least two publications in the official county newspaper. The commission shall accept applications for a minimum of fifteen days prior to making an appointment, and shall make available during that period of time any printed application forms the commission prescribes.

3. Within thirty days following receipt of notification of a vacancy in the office of the clerk, the commission shall appoint a person to the office to serve the remainder of the unexpired term. For purposes of this section, vacancy means a death, resignation, retirement, or removal of a clerk.

4. The commission shall promptly certify the name and address of the appointee to the chief judge of the judicial district and to the state court administrator."

2. Page 66, line 1, by striking the words "clerk of the district court" and inserting in lieu thereof the words "district court administrator".

3. Page 66, line 9, by striking the words "clerk of the district court" and inserting in lieu thereof the words "district court administrator".

4. Page 66, line 15, by inserting after the word "magistrate" the words "or clerk of the district court".

5. Page 66, lines 30 and 31, by striking the words "clerk of the district court" and inserting in lieu thereof the words "district court administrator".

6. Page 67, line 16, by striking the words "clerk of the district court" and inserting in lieu thereof the words "district court administrator".

7. Page 67, line 31, by striking the words "clerk

Page 2

of the district court" and inserting in lieu thereof the words "district court administrator".

8. By renumbering as necessary.

Roll call was requested by Corey of Louisa and Halvorson of Clayton.

On the question "Shall amendment H—3779 be adopted?"

The ayes were, 34:

Anderson	Bennett	Branstad	Corey
De Groot	Grandia	Halvorson, R. A.	Handorf
Harbor	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Maulsby	McKean	Muhlbauer
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Spear	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 63:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	McIntee	Miller
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 3:

Baxter	Daggett	Menke

Amendment H—3779 lost.

Jay of Appanoose offered the following amendment H—3675 filed by Jay, et al., and moved its adoption:

H—3675

1 Amend Senate File 495, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 8, by inserting after line 22 the
4 following:

" . Prior to the appointment of a clerk of the district court, the district judges of the judicial election district shall publicize the procedure for applying for the appointment. Upon the petition of one hundred qualified electors of the county to the district judges, the district judges shall conduct a public hearing to receive comments and recommendation concerning the appointment of a clerk. Upon the petition of one hundred qualified electors of the county to the district court that a clerk is remiss in the performance of the clerk's public duties, the district judges shall conduct a public hearing to receive comments and recommendations concerning the removal of the clerk. Following the hearing, the district judges shall remove the clerk from office or shall take measures to correct any problems in the performance of the clerk's public duties. The district judges shall conduct a public hearing not less than four months but no more than six months from the date of the original hearing to assess the current performance of the clerk's duties."

Amendment H—3675 lost.

The House stood at ease at 3:10 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 495 at 6:00 p.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-three members present, seventeen absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the day, on request of Schroeder of Pottawattamie; Menke of O'Brien, for a portion of the afternoon, on request of Bennett of Ida; Krewson of Polk, for the remainder of the day, on request of McKean of Jones.

Welden of Hardin offered the following amendment H—3795 filed from the floor by Welden, Cochran, Harbor and Branstad and moved its adoption:

H–3795

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 801.4, subsection 10, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

10. "Indigent person" means a person who is indigent as determined in accordance with section 815.9.

Sec. 2. Section 814.9, Code 1983, is amended to read as follows:

814.9 INDIGENT'S RIGHT TO TRANSCRIPT ON APPEAL. If a defendant in a criminal cause has perfected an appeal from a judgment ~~against him or her and shall satisfy the judge of the district court that he or she is indigent, such~~ judge and is determined by the court to be indigent, the court may order the transcript made at ~~the expense of the county where the defendant was tried~~ public expense. When an attorney of record is representing ~~such~~ an indigent, ~~said~~ the attorney shall ~~make application~~ apply to the district court for the transcript.

Sec. 3. Section 814.10, Code 1983, is amended to read as follows:

814.10 INDIGENT'S APPLICATION FOR TRANSCRIPT IN OTHER CASES. If a defendant in a criminal cause has been granted discretionary review from an action of the district court and the appellate court deems a transcript or portions thereof are necessary to proper review of the question or questions raised, the district court shall order the transcript made at ~~the expense of the county where the defendant was tried,~~ public expense if a determination is made that the defendant is indigent.

Sec. 4. NEW SECTION. 815.9 INDIGENCY DETERMINED—PENALTY.

1. For purposes of this chapter, section 68.8, section 222.22, chapter 232, chapter 814, and the rules of criminal procedure, a person is indigent if the person is determined to be unable to employ legal counsel without prejudicing the person's financial ability to provide economic necessities for the person or the person's dependent family.

2. A determination of indigence shall not be made except upon the basis of information contained in a detailed financial statement submitted by the person, or in an appropriate case by the person's parent, guardian, or custodian. The financial statement shall be in the form prescribed by the supreme court, and

Page 2

shall contain a full disclosure of all assets, liabilities, current income, dependents, and other information prescribed by the supreme court. The supreme court shall adopt rules prescribing the form and content of the financial statement, and the standards by which indigency shall be determined under subsection 1. If a person is granted legal assistance as an indigent, the financial statement shall be filed and permanently retained in the person's court file.

3. A person who knowingly submits a false financial statement for the purpose of obtaining legal assistance at public expense commits a fraudulent practice. As used in this subsection, "legal assistance" includes legal counsel, transcripts, witness fees and expenses, and any other goods or services required by law to be provided to an indigent person at public expense.

Sec. 5. NEW SECTION. 815.10 APPOINTMENT OF COUNSEL BY COURT.

1. The court, for cause and upon its own motion or upon application by an indigent person or a public defender, may appoint a public defender or any attorney who is admitted to the practice of law in this state to represent an indigent person at any state of the proceedings or on appeal of any action in which the indigent person is entitled to legal assistance at public expense. An appointment shall not be made unless the person is determined to be indigent under section 815.9.

2. If a court finds that a person desires legal assistance and is not indigent, but refuses to employ an attorney, the court shall appoint a public defender or another attorney to represent the person at public expense. If an attorney other than a public defender is appointed, the fee paid to the attorney shall be taxed as a court cost against the person.

3. An attorney other than a public defender who is appointed by the court under subsection 1 or 2 shall apply to the district court for compensation and for reimbursement of costs incurred. The amount of compensation due shall be determined in accordance with section 815.7.

Sec. 6. NEW SECTION. 815.11 APPROPRIATIONS FOR INDIGENT DEFENSE. Costs incurred under sections 814.9, 814.10, 814.11, 815.4, 815.5, 815.6, 815.7, 815.10, 815.12, or the rules of criminal procedure on behalf of an indigent shall be paid from funds appropriated by the general assembly to the supreme court for those purposes.

Sec. 7. NEW SECTION. 815.12 TRIAL JURY EXPENSES. The clerk of the district court shall pay fees and

Page 3

mileage due petit jurors, and the costs of food, lodging, and transportation when provided for petit jurors.

Sec. 8. The state shall assume the responsibility for and the costs of indigent defense on January 1, 1984.

Sec. 9. This Act takes effect January 1, 1984."

2. Title page, by striking lines 1 through 3 and inserting in lieu thereof the words "An Act requiring the state to assume the responsibility for and the costs of indigent defense."

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

On the question "Shall amendment H—3795 be adopted?"

The ayes were, 32:

Anderson	Bennett	Branstad	Cochran
Corey	Daggett	Davitt	De Groot
Grandia	Halvorson, R. A.	Handorf	Harbor
Hermann	Hoffmann-Bright	Hummel	Maulsby
Muhlbauer	Mullins	Oxley	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Torrence	Van Gerpen	Van Maanen	Welden

The nays were, 63:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Hanson	Haverland	Holveck
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Miller	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 5:

Baxter Hughes Krewson Menke
Tofte

Amendment H—3795 lost.

Schroeder of Pottawattamie offered amendment H—3793 filed by him from the floor and requested division as follows:

H—3793

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

H—3793A

1. Page 8, by inserting after line 32 the following:

"Sec. . NEW SECTION. 602.1214A SUPREME COURT PROCEDURES FOR CLERKS OF THE DISTRICT COURT. The supreme court shall adopt rules under section 602.5202 to establish procedures relating to public hearings to be conducted by the district judges of a judicial election district in order to receive comments and recommendations concerning the appointment or removal of a clerk of the district court. Upon the petition of one hundred qualified electors of the county to the district judges, the district judges shall conduct a public hearing to receive comments and recommendations concerning the appointment or removal of a clerk. Following a hearing concerning removal of a clerk, the district judges shall take measures to correct any problems in the performance of the clerk's public duties, and if, after four months, the problems in the performance of the clerk's public duties still exist, the district judges shall remove the clerk for cause and declare a vacancy in the office."

2. Page 8, by inserting before line 33 the following:

"Sec. . NEW SECTION. 602.1214B RETENTION OF CLERKS OF THE DISTRICT COURT. In addition to removal from office under section 602.1214, a clerk of the district court may be removed from office by the county electors. A clerk of the district court shall stand for retention in office, in the county of the clerk's office, upon the petition of ten percent of all eligible and registered electors in the county to the state commissioner of elections, at the judicial election in 1988 and every four years thereafter,

under sections 46.17 through 46.24. A clerk who is not retained in office is ineligible to serve as clerk, in the county in which the clerk was not retained, for the four years following the retention vote."

H–3793B

3. Page 31, by inserting after line 27 the following:

"Sec. . NEW SECTION. 602.3101A SUPREME COURT PROCEDURES FOR JUDICIAL OFFICERS. The supreme court shall adopt rules under section 602.5202 to establish procedures relating to public hearings to be conducted by the supreme court in order to receive comments and recommendations concerning the appointment or removal of a judicial officer. Upon the petition of one thousand qualified electors of the state to

Page 2

the supreme court, the supreme court shall conduct a public hearing to receive comments and recommendations concerning the appointment or removal of a judicial officer. Following a hearing concerning removal of a judicial officer, the supreme court shall take measures to correct any problems in the performance of the judicial officer's public duties, and if, after four months, the problems in the performance of the judicial officer's public duties still exist, the supreme court shall remove the judicial officer for cause and declare a vacancy in the office."

H–3793A

4. Page 104, by inserting after line 9 the following:

"Sec. . Section 46.20, Code 1983, is amended to read as follows:

46.20 DECLARATION OF CANDIDACY. At least ninety days prior to the judicial election preceding expiration of ~~his or her~~ the initial or regular term of office, a judge of the supreme court, court of appeals or district court including district associate judges, or a clerk of the district court who is required to stand for retention under section 602.1214B may file a declaration of candidacy with the state commissioner of elections~~, whereupon such judge shall~~ to stand for retention or rejection at that election. If a judge or clerk fails to file ~~such~~ the declaration,

~~his or her~~ the office shall be vacant at the end of ~~his or her~~ the term. District associate judges filing ~~such a~~ the declaration shall stand for retention in the judicial election district of their residence.

Sec. . Section 46.21, Code 1983, is amended to read as follows:

46.21 CONDUCT OF ELECTIONS. At least fifty-five days prior to each judicial election, the state commissioner of elections shall certify to the county commissioner of elections of each county a list of the judges of the supreme court, court of appeals and district court including district associate judges, and clerks of the district court to be voted on in ~~such~~ each county at that election. The county commissioner of elections shall place the names upon the ballot in the order in which they appear in the certificate, unless only one county is voting thereon. The state commissioner of elections shall rotate the names in the certificate by county, or the county commissioner of elections shall rotate them upon the ballot by precinct if only one county is voting thereon. The names of all judges and clerks to be voted on shall be placed upon one ballot, which shall

Page 3

be in substantially the following form:

STATE OF IOWA
JUDICIAL BALLOT
(Date)

VOTE ON ALL NAMES BY PLACING AN X IN THE APPROPRIATE BOX AFTER EACH NAME.

SUPREME COURT

Shall the following judges of the Supreme Court be retained in office?

JOHN DOE	YES___	NO___
~~RICHARD~~ JANE ROE	YES___	NO___

COURT OF APPEALS

Shall the following judges of the Court of Appeals be retained in office?

JOHN DOE	YES___	NO___
~~RICHARD~~ JANE ROE	YES___	NO___

DISTRICT COURT

Shall the following judge or associate judge of the District Court be retained in office?

JOHN SMITH	YES___	NO___

Shall the following clerk of the District Court be retained in office?

JANE DOE	YES	NO

Sec. . Section 46.24, Code 1983, is amended to read as follows:

46.24 RESULTS OF ELECTION. A judge of the supreme court, court of appeals, or district court including a district associate judge, or a clerk of the district court must receive more affirmative than negative votes to be retained in office. When the poll is closed, the election judges shall publicly canvass the vote forthwith. The board of supervisors shall canvass the returns at its meeting on Monday after the election, and shall promptly certify the number of affirmative and negative votes on each judge or clerk to the state commissioner of elections.

The state board of canvassers shall, at the time of canvassing the vote cast at a general election, open and canvass all of the returns for the judicial election. Each judge of the supreme court, court of appeals or district court including a district associate judge, or a clerk of the district court who has received more affirmative than negative votes shall receive from the state board of canvassers an appropriate certificate so stating."

H—3793C

5. Page 104, by inserting before line 10 the following:

"Sec. . NEW SECTION. 49.48 The state commissioner of elections shall prescribe a notice to inform voters that the top of the ballot contains

Page 4

the form for retaining or removing judicial officers and for ratifying or defeating proposed constitutional amendments. The notice shall be conspicuously attached to the voting machine or to the ballot."

6. By renumbering as necessary.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3793A.

On motion by Schroeder of Pottawattamie, amendment H—3793B lost.

On motion by Schroeder of Pottawattamie, amendment H—3793C was adopted.

Doderer of Johnson offered the following amendment H—3686 filed by her and moved its adoption:

H—3686

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 10, line 21, by inserting after the word "assembly" the words "for the department".

2. Page 12, line 8, by inserting after the word "department" the words "and shall establish a pay plan".

3. Page 12, line 22, by inserting after the word "employees" the words "and a pay plan for the classes of employees".

4. Page 13, line 20, by inserting before the word "APPELLATE" the words "SUPREME COURT OR".

5. Page 14, line 2, by inserting after the word "assembly" the words and figure "and in accordance with the pay plan established under section 602.1401".

6. Page 14, by striking lines 19 through 21 and inserting in lieu thereof the words "district court."

7. Page 32, line 8, by inserting after the word and figure "January 1" the words "of the year for which the appointments are made".

8. Page 34, line 10, by striking the word "may" and inserting in lieu thereof the word "shall".

9. Page 36, line 19, by striking the words "is not ineligible for" and inserting in lieu thereof the words "shall not be denied".

10. Page 40, line 12, by striking the word "may" and inserting in lieu thereof the word "shall".

11. Page 43, by striking lines 27 and 28 and inserting in lieu thereof the following:

"1. The supreme court shall appoint a clerk of the supreme court and may remove the clerk for cause."

12. Page 44, line 27, by striking the word "school," and inserting in lieu thereof the word "school".

13. Page 45, by striking lines 5 and 6 and inserting in lieu thereof the following:

"1. The court of appeals consists of five judges; three judges of the court of appeals constitute a quorum."

14. Page 46, by striking lines 16 through 18 and inserting in lieu thereof the following:

"2. The chief judge shall supervise the business of the court and shall preside when present at a session of the court."

15. Page 48, line 26, by striking the word "supeme" and inserting in lieu thereof the word "supreme".

16. Page 55, line 20, by striking the word "Avacancy" and inserting in lieu thereof the words "a vacancy".
17. Page 68, line 34, by striking the words "from

Page 2

performing duties".

Amendment H—3686 was adopted.

Welden of Hardin asked and received unanimous consent to temporarily defer action on amendment H—3667.

Welden of Hardin offered the following amendment H—3644 filed by him and moved its adoption:

H—3644

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:
1. Page 10, line 33, by striking the word "suitable".
2. Page 10, line 34, by inserting after the word "facilities" the words "which in the judgment of the board of supervisors are suitable".
3. Page 11, line 4, by striking the word "suitable".
4. Page 11, by striking lines 5 and 6 and inserting in lieu thereof the words "facilities which in the judgment of the city council are suitable."

Amendment H—3644 was adopted.

Welden of Hardin asked and received unanimous consent to withdraw amendment H—3667 filed by him on April 11, 1983.

Norland of Worth asked and received unanimous consent that Senate File 495 be deferred and that the bill retain its place on the unfinished business calendar.

MOTION TO RECONSIDER
(House File 100)

I move to reconsider the vote by which House File 100 passed the House on April 18, 1983.

GROTH of Buena Vista

HOUSE CONCURRENT RESOLUTION 26
By Gruhn and Cochran

Whereas, the present Iowa noxious weed laws include references to several rare or seldom seen weeds, as well as several weeds that are common to almost every area of the state; and

Whereas, Iowa law contains separate provisions regarding noxious weeds and noxious weed seeds; and

Whereas, there is little difference between the treatment of primary and secondary noxious weeds; and

Whereas, some weeds classified as noxious do not pose a serious problem and may tend to discourage the control of weeds which do pose a serious problem; *Now Therefore*,

Be It Resolved by the House of Representatives, The Senate Concurring, That the legislative council is requested to appoint an interim study committee composed of five senate and five house members of the standing committees on agriculture to review Iowa's noxious weed laws with the aid and assistance of an Iowa state university weed specialist.

Laid over under Rule 25.

COMMUNICATION FROM STATE APPEAL BOARD

The following communication was received from the State Appeal Board on April 18, 1983 and is on file in the office of the Chief Clerk:

April 15, 1983

Mr. Joseph O'Hern, Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Mr. O'Hern:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the House.

These include 7 claims of a general nature. This supplements our filing of December 28, 1982.

Index is attached showing number of claim, name and address of claimant, amount of claim, and action taken.

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Chief Clerk of the House

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
322-70-25	Health Professions Center Omaha, Nebraska Outdated invoices	$ 818.00	Disapproved
598-70-25	Goldie S. Williams Magalia, California General	26.95	Disapproved
777-70-25	Iowa Methodist Medical Center Des Moines, Iowa Title XIX claim	966.95	Disapproved
938-70-25	Iowa State Men's Reformatory Anamosa, Iowa Reimbursement for back pay awards	1,345.50	Disapproved
940-70-25	Carl L. Anderson Farmington, Iowa License fee refund	22.50	Disapproved
947-70-25	Edward H. Jelinek Omaha, Nebraska Vehicle registration refund	60.00	Disapproved
966-70-25	First Financial Savings and Loan Association Albia, Iowa Revenue stamp refund	14.02	Disapproved

PRESENTATION OF VISITOR

Cooper of Lucas presented to the House the Honorable Tom Dougherty, former member of the House representing Lucas County.

AMENDMENTS FILED

H–3791 H.F. 42 Senate Amendment

H–3792 S.F. 495
Mullins of Kossuth
Anderson of Audubon
Doderer of Johnson

H–3794 S.F. 495
Harbor of Mills
Pavich of Pottawattamie
Schnekloth of Scott
McKean of Jones

H–3796 S.F. 495

H–3797 H.F. 100

H–3798 H.F. 613

H–3799 H.F. 608

H–3800 S.F. 302

H–3801 H.F. 613
Zimmerman of Dallas
Skow of Guthrie
Groth of Buena Vista
Paulin of Plymouth
Jay of Appanoose
Haverland of Polk
Osterberg of Linn
Miller of Woodbury
Hoffmann-Bright of Muscatine

H–3802 H.F. 616

H–3803 S.F. 495

H–3804 H.F. 613

Pavich of Pottawattamie
Harbor of Mills
Branstad of Winnebago
Lloyd-Jones of Johnson
Varn of Johnson
Doderer of Johnson
Halvorson of Clayton
Clark of Cerro Gordo
Welden of Hardin
Schroeder of Pottawattamie
Cooper of Lucas
Spear of Lee
Skow of Guthrie
Tabor of Jackson
Lonergan of Boone
De Groot of Lyon
Sherzan of Polk
Rosenberg of Story
Sturgeon of Woodbury
Hermann of Scott
Gruhn of Dickinson
Gronstal of Pottawattamie
Chapman of Linn
Holveck of Polk
O'Kane of Woodbury
Fey of Scott
Rosenberg of Story
Mullins of Kossuth
McIntee of Black Hawk
Daggett of Taylor
Skow of Guthrie
Van Maanen of Mahaska
Harbor of Mills
Fogarty of Palo Alto
Pellett of Cass
McIntee of Black Hawk
Rosenberg of Story
Zimmerman of Dallas

H—3805 H.F. 613
O'Kane of Woodbury
Carpenter of Polk
Connolly of Dubuque
Miller of Woodbury
Sturgeon of Woodbury
Zimmerman of Dallas
Lloyd-Jones of Johnson
Jochum of Dubuque
Spear of Lee
Sullivan of Van Buren

On motion by Norland of Worth, the House adjourned at 6:33 p.m., until 9:00 a.m., Wednesday, April 20, 1983.

JOURNAL OF THE HOUSE

One Hundred First Calendar Day—Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 20, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Robert Rod, pastor of the New Life Lutheran Church, Norwalk.

The Journal of Tuesday, April 19, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Reuben Widmer, Iowa City.

PETITIONS FILED

The following petitions were received and placed on file:

By Grandia of Marion, from fifty constituents of the 69th District favoring the responsible reduction and eventual elimination of nuclear armaments.

The following petitions were received opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Fogarty of Palo Alto, from fifty-five constituents.

By Hoffmann-Bright of Muscatine, from fifty-five constituents.

By Ollie of Clinton, from four hundred constituents.

By Pellett of Cass, from one hundred sixty-nine constituents.

By Stromer of Hancock, from thirty-two constituents of the 17th District.

By Swearingen of Keokuk, from fifty-five constituents of the 63rd District.

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, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 90, a bill for an act regulating credit union share drafts and share draft accounts.

Also: That the Senate has on April 18, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 136, a bill for an act to make nonsubstantive corrections to the Code.

Also: That the Senate has on April 18, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 391, a bill for an act relating to the commission on professional and occupational regulation.

Also: That the Senate has on April 18, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 431, a bill for an act relating to the Iowa commission on the aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging.

Also: That the Senate has on April 18, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 463, a bill for an act permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous or disturbing behavior.

Also: That the Senate has on April 18, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 464, a bill for an act relating to the creation of the Iowa department of corrections, prescribing its powers and duties, appropriating moneys, and providing penalties.

Also: That the Senate has on April 18, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 474, a bill for an act relating to the practice of chiropractic.

Also: That the Senate has on April 18, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 485, a bill for an act requiring director districts of certain school districts to be redistricted following each federal decennial census as necessary to reflect population changes within the districts.

Also: That the Senate has on April 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 521, a bill for an act to allow a drainage district to charge the rate permitted by chapter 74A for delinquent assessments.

Also: That the Senate has on April 18, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 526, a bill for an act relating to the treatment for income and inheritance tax purposes of commodities received under Pub. L. No. 98-4.

K. MARIE THAYER, Secretary

The House stood at ease at 9:12 a.m., until the fall of the gavel.

The House resumed session at 10:42 a.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present.

The vote revealed eighty-five members present, fifteen absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Koenigs of Mitchell on request of Carter of Henry; Haverland of Polk, for the morning session, on request of Ollie of Clinton; Lageschulte of Bremer, until his arrival, on request of Schnekloth of Scott; Chiodo of Polk, until his arrival, on request of Connors of Polk.

Unfinished Business Calendar

The House resumed consideration of **Senate File 495**, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, deferred and retained on the unfinished business calendar on April 19, 1983.

Harbor of Mills offered the following amendment H—3659 filed by Harbor, et al., and moved its adoption:

H—3659

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 11, line 2, by inserting after the word "employees." the words "The supreme court may recommend that a county provide enlarged, additional, or different court facilities. Before such facilities are provided, the board of supervisors must approve, by resolution, the provision of such facilities which cost no more than twenty-five thousand dollars and a majority of the qualified electors of the county must approve the provision of such facilities which cost more than twenty-five thousand dollars at a special election called by the board of supervisors."

2. Page 11, by inserting after line 6 the following:

"The supreme court may recommend that a city provide enlarged, additional, or different court facilities. Before such facilities are provided, the city council must approve the provision of such facilities which cost no more than twenty-five thousand dollars, and a majority of the qualified electors of the city must approve the provision of such facilities which cost more than twenty-five thousand dollars at a special election called by the city council."

Amendment H—3659 lost.

Pavich of Pottawattamie offered the following amendment H—3792 filed by Pavich, et al., and moved its adoption:

H—3792

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 12, line 10, by inserting after the word "court." the words "The personnel system, in the employment of court employees, shall not discriminate on the basis of race, creed, color, sex, national origin, religion, physical disability, or political party preference."

Amendment H—3792 was adopted.

Holveck of Polk offered the following amendment H—3690 filed by him and moved its adoption:

H–3690

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 18, line 12, by striking the word "child" and inserting in lieu thereof the words "a person related to either of them by consanguinity or affinity within the third degree or the spouse of such a person".

Amendment H–3690 was adopted.

Doderer of Johnson offered the following amendment H–3794 filed by Doderer, et al. :

H–3794

Amend Senate File 495 as amended, passed and reprinted by the Senate, as follows:

1. Page 23, by striking lines 5 through 12 and inserting in lieu thereof the following:

"Sec. 2106. NEW SECTION. 602.2106 RETIREMENT.

A person who becomes separated from service as a judge, and who has completed an aggregate of at least six years of service as a judge and has attained the age of sixty-five years, and who has otherwise qualified as provided in this article, is entitled to an annuity as provided in this article. However, a person who has not attained the age of sixty-five years is entitled to an annuity as provided in this article if, upon separation, the person has completed twenty-five years of consecutive service as a judge, with an aggregate of at least six years of service prior to July 1, 1983."

Connors of Polk asked and received unanimous consent that Senate File 495 be deferred and that the bill retain its place on the unfinished business calendar.

(Amendment H–3794 pending.)

SENATE AMENDMENTS CONSIDERED

Chapman of Linn called up for consideration **House File 176**, a bill for an act providing that a political party or candidate committee or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with

another qualified organization to conduct the games of skill, games of chance, or raffles, amended by the Senate, and moved that the House concur in the following Senate amendment H–3774:

H–3774

Amend House File 176 as amended, passed, and reprinted by the House as follows:

1. Page 1, line 6, by inserting after the figure "(3)," the figures "501(c)(4),".

2. Page 1, line 22, by inserting after the word "organization." the words "A licensed qualified organization may promote the games of skill, games of chance, and raffles which it may lawfully conduct."

The motion prevailed and the House concurred in the Senate amendment H–3774.

Chapman of Linn 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. 176)

The ayes were, 75:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Holveck	Hughes	Jay
Jochum	Knapp	Krewson	Lloyd-Jones
Lonergan	McIntee	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 21:

Anderson	Bennett	Branstad	Clark
Corey	Daggett	De Groot	Grandia
Handorf	Hermann	Hoffmann-Bright	Hummel
Maulsby	McKean	Menke	Paulin
Pellett	Renken	Rensink	Stueland
Van Maanen			

Absent or not voting, 4:

Chiodo	Haverland	Koenigs	Lageschulte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Brammer of Linn called up for consideration **House File 214,** a bill for an act providing immunity from liability resulting from assistance in an investigation of child abuse, amended by the Senate, and moved that the House concur in the following Senate amendment H—3773:

H—3773

1 Amend House File 214 as follows:
2 1. Page 1, line 6, by inserting after the word
3 "report" the words "pursuant to section 232.71".

The motion prevailed and the House concurred in the Senate amendment H—3773.

Brammer of Linn 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. 214)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia

Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Krewson	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Chiodo	Haverland	Koenigs	Lageschulte
Peick			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Spear of Lee called up for consideration **House File 279,** a bill for an act relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs, amended by the Senate, and moved that the House concur in the following Senate amendment H–3772:

H–3772

Amend House File 279 as passed by the House as follows:

1. Page 1, line 12, by inserting after the word "committee." the words and figure "A person who holds public office and serves on the board of directors under chapter 905.3 shall not be a member of a project advisory committee under this section."

2. Page 1, by inserting after line 18, the following:

"Sec. . Section 905.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 10. Establish a project advisory committee to act in an advisory capacity on matters

pertaining to the planning, operation, and other pertinent functions of each project in the judicial district."

3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H–3772.

Spear of Lee 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. 279)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Chiodo	Groninga	Haverland	Koenigs
Lageschulte			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

O'Kane of Woodbury called up for consideration **House File 377**, a bill for an act relating to the financing of public projects through bonds, warrants, special assessments, and other obligations, by amending procedures for the issuance of bonds, warrants, special assessments, and other obligations, by providing for the registration of bonds or other obligations, by authorizing interim financing of projects, and making corresponding amendments to the Code, amended by the Senate, and moved that the House concur in the following Senate amendment H–3770:

H–3770

Amend House File 377 as amended, passed and reprinted by the House as follows:

1. Page 6, by striking lines 10 and 11 and inserting in lieu thereof the words "days before the sale in a newspaper located in the county or a county contiguous to the place of sale".

2. Page 6, line 12, by striking the word "located".

3. Page 11, by inserting after line 4 the following:

"Sec. . Section 384.65, subsection 1, Code 1983, is amended to read as follows:

1. The first installment of each assessment, or the total amount if less than fifty dollars, is due and payable on July 1 next succeeding the date of the levy, unless the assessment is filed with the county ~~auditor~~ treasurer after May 31 in any year. The first installment shall bear interest on the whole unpaid assessment from the date of acceptance of the work by the council to the first day of December following the due date."

4. Renumber as necessary.

The motion prevailed and the House concurred in the Senate amendment H–3770.

O'Kane of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 377)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Krewson	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Branstad	Chiodo	Groninga	Haverland
Koenigs	Lageschulte		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Jay of Appanoose called up for consideration **House File 477**, a bill for an act to prohibit the filing of school district reorganization petitions with an area education agency within six months after the occurrence of certain conditions, amended by the Senate and moved that the House concur in the following Senate amendment H–3784:

H–3784

Amend House File 477 as follows:

1. Page 1, line 26, by striking the words "another petition" and inserting in lieu thereof the words "a petition describing the identical or similar boundaries".

2. Page 2, line 6, by inserting after the word "petition" the words "describing the identical or similar boundaries".

The motion prevailed and the House concurred in the Senate amendment H—3784.

Jay of Appanoose 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. 477)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Chiodo	Groninga	Haverland	Koenigs
Lageschulte	Sherzan	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Carpenter of Polk called up for consideration **House File 494**, a bill for an act relating to certified public accountants, accounting practitioners, and the board of accountancy, amended by the Senate, and moved that the House concur in the following Senate amendment H–3769:

H–3769

Amend House File 494 as amended, passed and reprinted by the House as follows:

1. Page 2, line 29, by striking the words "shall be granted" and inserting in lieu thereof the words "may apply for".

The motion prevailed and the House concurred in the Senate amendment H–3769.

Carpenter 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. 494)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth

Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Chiodo	Groninga	Haverland	Koenigs
Lageschulte	Oxley		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Carter of Henry called up for consideration **House File 518**, a bill for an act relating to the amount of money an individual farmer may be loaned under the soil conservation loan program, amended by the Senate, and moved that the House concur in the following Senate amendment H–3768:

H–3768

Amend House File 518 as follows:

1. Page 1, line 18, by striking the words "one hundred twenty-five" and inserting in lieu thereof the words "~~twenty-five~~ fifty".

2. Page 1, lines 19 and 20, by striking the words "one hundred twenty-five" and inserting in lieu thereof the word "fifty".

The motion prevailed and the House concurred in the Senate amendment H–3768.

Carter of Henry moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 518)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr

Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Grandia	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Krewson
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Blanshan	Chiodo	Doderer	Groninga
Haverland	Koenigs	Lageschulte	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of **Senate File 302**, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services, deferred and placed on the unfinished business calendar on April 14, 1983.

Rosenberg of Story offered the following amendment H–3587 filed by the committee on judiciary and law enforcement:

H–3587

Amend Senate File 302, as passed by the Senate, as follows:

1. Page 3, line 26, by inserting after the word "shall" the word "not".

McKean of Jones offered the following amendment H—3747, to the committee amendment H—3587, filed by him and moved its adoption:

H—3747

Amend H—3587, to Senate File 302, as follows:
1. Page 1, by inserting after line 4 the following:
"2. Page 3, line 28, by inserting after the figure "906.5" the following: "and good conduct time earned and not forfeited may accrue during a mandatory minimum sentence, but does not apply to reduce the mandatory minimum sentence, nor does it apply to reduce the sentence to a length less than the mandatory minimum term allowing an inmate's sentence to expire before the mandatory minimum term has been served. An inmate is not eligible for release until the full mandatory minimum term has been served."

Amendment H—3747 was adopted.

Rosenberg of Story moved the adoption of the committee amendment H—3587, as amended.

Roll call was requested by Skow of Guthrie and Menke of O'Brien.

On the question "Shall amendment H—3587, as amended, be adopted?"

The ayes were, 73:

Anderson	Baxter	Bennett	Black
Blanshan	Carl	Carpenter	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Harbor	Hermann
Hoffmann-Bright	Hummel	Jay	Jochum
Knapp	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Norland	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Royer
Running	Schnekloth	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte

Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 21:

Arnould	Brammer	Buhr	Carter
Chapman	Doderer	Fey	Gronstal
Hammond	Hanson	Holveck	Hughes
Krewson	Lloyd-Jones	Mullins	O'Kane
Ollie	Osterberg	Rosenberg	Sherzan
Shoultz			

Absent or not voting, 6:

Branstad	Chiodo	Haverland	Koenigs
Lageschulte	Schroeder		

Amendment H—3587, as amended, was adopted.

Norland of Worth asked and received unanimous consent that Senate File 302 be deferred and that the bill retain its place on the unfinished business calendar.

On motion by Norland of Worth, the House was recessed at 12:13 p.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SENATE MESSAGES CONSIDERED

Senate File 307, by Gettings, a bill for an act relating to treatment of a preexisting medical condition of an inmate.

Read first time and referred to committee on **human resources.**

Senate File 521, by committee on ways and means, a bill for an act to allow a drainage district to charge the rate permitted by chapter 74A for delinquent assessments.

Read first time and referred to committee on **ways and means.**

Senate File 526, by committee on ways and means, a bill for an act relating to the treatment for income and inheritance tax purposes of commodities received under Pub. L. No. 98-4.

Read first time and referred to committee on **ways and means.**

Unfinished Business Calendar

The House resumed consideration of **Senate File 302,** a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services, deferred and retained on the unfinished business calendar on April 20, 1983.

Action on amendment H–3723 was temporarily deferred.

Halvorson of Clayton offered the following amendment H–3755 filed by him and requested division as follows:

H–3755

Amend Senate File 302, as passed by the Senate, as follows:

H–3755A

1. Page 4, by inserting after line 32 the following:

"Sec. . Chapter 684, Code 1983, is amended by adding the following new section:

NEW SECTION. RULES OF SENTENCING.

1. The supreme court may prescribe advisory rules to the district court which establish:

a. The circumstances under which imprisonment of an offender is proper.

b. Appropriate sanctions for offenders for whom imprisonment is not proper, including but not limited to noninstitutional sanctions such as fines, restitution, work release, community service sentencing, community-based correctional programs, probation, deferred judgment, deferred sentence, and suspended sentence.

2. In establishing the rules of sentencing, the court may take into consideration current sentencing and release practices and correctional resources, including but not limited to the capacities of local and state correctional facilities."

H–3755B

2. Page 5, line 6, by inserting after the word "Code" the words "and the name of the offense".

H–3755C

3. Page 5, by inserting after line 8 the following:

"Sec. . Section 906.3, Code 1983, is amended to read as follows:

906.3 AUTHORITY OF PAROLE BOARD.

1. The board of parole shall ~~promulgate regulations~~ adopt rules regarding a system of paroles from correctional institutions, and shall direct, control, and supervise the administration of ~~such~~ the system of paroles. The board shall determine which of those persons who have been committed to the custody of the director of the division of adult corrections, by reason of their conviction of a public offense, shall be released on parole. The grant or denial of parole shall not be deemed a contested case as defined in section 17A.2.

2. The board of parole shall adopt rules pursuant to chapter 17A of the Code, as to the timing and frequency of parole interviews and paroles, as to the shortest possible time of incarceration which an offender shall serve prior to eligibility for release on parole, and as to the length and conditions of paroles. These rules shall take into consideration the offender's past conviction record including the number of prior forcible felonies, nonforcible felonies, and aggravated misdemeanors, the length

Page 2

of time since conviction for the prior offenses, use of a firearm in the commission of the offense, and other relevant factors.

Sec. . Section 906.5, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Within one year after the commitment of ~~any~~ a person ~~other than a class "A" felon~~ to the custody of the director of the division of adult corrections, a ~~member~~ designee of the board shall interview the person. Thereafter, at regular intervals, not to exceed ~~one year,~~ the time provided for by rules adopted pursuant to section 906.3, subsection 2, the board shall interview the person and shall consider ~~his or her~~ the person's prospects for parole. At ~~such time~~ the interview, the board shall consider all pertinent information regarding this person, including

the circumstances of the person's offense, any presentence report which may be available, the previous social history and criminal record of ~~such~~ the person, the person's conduct, employment and attitude in prison, and the reports of ~~such~~ physical and mental examinations ~~as~~ which have been made.

Sec. . Section 908.6, Code 1983, is amended to read as follows:

908.6 DISPOSITION BY LIAISON OFFICER. If it appears from the evidence that there is no probable cause to believe that the arrested person has violated the conditions of parole, the liaison officer shall order the arrested person to be released from custody and continued on parole. If it appears that there is probable cause to believe that the arrested person has violated the conditions of parole, the liaison officer shall commit the arrested person to the custody of the ~~department of social services~~ director of the division of adult corrections, and the procedure prescribed in section 901.7 shall apply to ~~such~~ the commitment; or the liaison officer may recommend that the arrested person be admitted to bail as provided in section 908.2. The liaison officer shall make a summary of the testimony and other evidence considered and a statement of the facts relied on as a basis for the finding of probable cause or no probable cause, and shall without delay forward them together with all documents relating to the matter to the executive secretary of the parole board. If the alleged parole violator has waived the probable cause hearing, the verbatim record of that proceeding shall be forwarded in lieu of the summary of evidence and statement of facts.

Sec. . Section 908.8, Code 1983, is amended

Page 3

to read as follows:

908.8 PROCEEDING WITHOUT ARREST OR PROBABLE CAUSE. The board of parole may receive from a parole officer a charge or complaint of parole violation against any parolee and may proceed to a hearing on ~~such~~ the charge in any case where the alleged violator has not been arrested or has been arrested and discharged by the liaison officer on a finding of no probable cause. The presence of the alleged violator at ~~such~~ the hearing shall be secured by summons. A statement of the charge against the alleged violator shall accompany the summons, and the parole officer shall give the alleged violator such assistance as is needed to get to the place of the hearing. Travel expenses,

if any, shall be paid by the ~~board~~ department of social services. If the alleged violator fails without good cause to appear as commanded by the summons, ~~such~~ the failure shall be considered a violation of the parole, and the board may proceed to revoke parole. If the parole is revoked, the board shall issue a warrant for the person's arrest and return to the custody of the department of social services. Upon ~~his or her~~ the person's return to custody, the board shall, upon request, give the person an opportunity to present any matters in defense or mitigation of the conduct.

Sec. . Section 908.9, Code 1983, is amended to read as follows:

908.9 DISPOSITION OF VIOLATOR. If the parole of any parole violator is revoked, the violator shall remain in the custody of the ~~department of social services~~ director of the division of adult corrections under the terms of the parolee's original commitment. If the parole of any parole violator is not revoked, the board shall order ~~his or her~~ the violator's release subject to the terms of ~~his or her~~ parole with any modifications that the board ~~shall determine~~ determines are proper.

Sec. . Rule of criminal procedure 6, subsection 6, Iowa court rules, second edition, is amended to read as follows:

6. ALLEGATIONS OF USE OF A FIREARM. If the offense charged is one for which the defendant, if convicted, will be subject by reason of the Code to ~~a minimum sentence~~ an increased penalty because of use of a firearm, the allegation of such use, if any, shall be contained in the indictment. If use of a firearm is alleged as provided by this rule, and if the allegation is supported by the evidence, the court shall submit to the jury a special interrogatory

Page 4

concerning this matter, as provided in R.Cr.P. 21(2) Ia. Ct. Rules, 2d ed.

Sec. . Rule of criminal procedure 26, subsection 1, Iowa court rules, second edition, is amended to read as follows:

1. REPRESENTATION. Every defendant who is an indigent person as defined in section 331.775, subsection 4, ~~The Code (1981 Code Sup.),~~ is entitled to have counsel appointed to represent ~~him or her~~ the defendant at every stage of the proceedings from the defendant's initial appearance before the magistrate or the court through appeal, including

probation and parole revocation hearings, unless the defendant waives ~~such~~ the appointment."

4. Page 5, line 15, by inserting after the number "1983." the following: "Section 906.5, as amended by this Act is effective January 1, 1984."

5. By renumbering to conform to this amendment.

Halvorson of Clayton asked and received unanimous consent to withdraw amendment H—3755A, placing out of order amendment H—3787, to amendment H—3755, filed by Rosenberg of Story on April 18, 1983.

Rosenberg of Story rose on a point of order that amendment H—3755B was not germane.

The Speaker ruled the point not well taken and amendment H—3755B germane.

On motion by Halvorson of Clayton, amendment H—3755B was adopted.

Rosenberg of Story offered amendment H—3788, to amendment H—3755C, filed by him and requested division as follows:

H—3788

Amend H—3755 to Senate File 302, as passed by the Senate, as follows:

H—3788A

1. Page 1, by striking lines 3 through 23.

H—3788B

2. Page 2, by inserting after line 3 the following:

"3. Notwithstanding the above, the board shall conduct a study of the fiscal impacts of its proposed rules, prior to their implementation. If the study indicates that the proposed rules will result in exceeding the prison population of two thousand seven hundred eighty, the rules shall not take effect. However, the rules shall still be submitted to the general assembly for consideration. The general assembly shall also be advised of all fiscal and population impacts of all rule changes proposed by the board of parole."

3. By renumbering to conform to this amendment.

With the withdrawal of amendment H—3755A, amendment H—3788A was out of order.

Rosenberg of Story moved the adoption of amendment H—3788B, to amendment H—3755C.

Amendment H—3788B lost.

Spear of Lee offered amendment H—3758, to amendment H—3755C, filed by him and requested division as follows:

H—3758

Amend amendment H—3755 to Senate File 302, as passed by the Senate, as follows:

H—3758A

1. Page 2, line 9, by striking the word "~~member~~" and inserting in lieu thereof the words "member or".

H—3758B

2. Page 2, line 12, by inserting after the word "board" the words "or hearing panel of the board".
3. Page 2, line 15, by inserting after the word "board" the words "or hearing panel of the board".

On motion by Spear of Lee, amendment H—3758A was adopted.

On motion by Spear of Lee, amendment H—3758B was adopted.

Rosenberg of Story rose on a point of order that amendment H—3755C, as amended, was not germane.

The Speaker ruled the point well taken and amendment H—3755C not germane.

Halvorson of Clayton asked for unanimous consent to suspend the rules to consider amendment H—3755C.

Objection was raised.

Halvorson of Clayton moved that the rules be suspended to consider amendment H—3755C.

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

Rule 76 was invoked.

On the question "Shall the rules be suspended to consider amendment H—3755C?"

The ayes were, 44:

Anderson	Bennett	Branstad	Carter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Miller	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Skow	Stromer	Stueland
Swartz	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 50:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Chapman	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Lloyd-Jones
Lonergan	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Tabor	Varn
Zimmerman	Mr. Speaker		

Absent or not voting, 6:

Black	Carpenter	Chiodo	Koenigs
O'Kane	Woods		

The motion lost.

Varn of Johnson in the chair at 3:03 p.m.

Schroeder of Pottawattamie offered the following amendment H—3723 filed by him and moved its adoption:

H–3723

Amend Senate File 302, as passed by the Senate, as follows:

1. Page 1, by striking lines 12 through 22, and inserting in lieu thereof the following: "of sentence pursuant to the rules of the department. The reduction shall be not more than one day for each day of good conduct of the inmate while committed to one of the division's institutions. If the rules reduce the amount of sentence reduction that may be earned for each day of good conduct, the amount of sentence reduction already earned by an inmate shall not be reduced retroactively, although it may be reduced prospectively and may be subject to forfeiture pursuant to section 4 of this Act. Computation of good conduct time".

2. Page 3, by striking lines 9 through 19 and inserting in lieu thereof the following: "4 of this Act. The director shall establish rules specifying what constitutes a day of good conduct. The rules may require the inmate's employment in the institution, in Iowa state industries, or in an inmate employment program established by the director, or may require the inmate to participate in an educational program approved by the director when the employment or programs are available. The rules may specify disciplinary offenses which may result in the loss of good conduct time and the amount of good conduct time which may be lost as a result of each disciplinary offense."

Roll call was requested by Schroeder of Pottawattamie and Bennett of Ida.

Rule 76 was invoked.

On the question "Shall amendment H–3723 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Clark
Connors	Copenhaver	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
Menke	Miller	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Spear	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 56:

Arnould	Avenson	Baxter	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Cochran	Connolly
Cooper	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Krewson	Lloyd-Jones
McKean	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Sturgeon	Sullivan	Swartz
Tabor	Woods	Zimmerman	Mr. Speaker (Varn)

Absent or not voting, 5:

Black	Chiodo	Koenigs	Lonergan
O'Kane			

Amendment H—3723 lost.

Knapp of Dubuque offered the following amendment H—3786 filed by him:

H—3786

Amend Senate File 302, as passed by the Senate, as follows:

1. Page 5, by inserting after line 12, the following:

"Sec. . There shall be appropriated from the general fund of the state to the department of social services, one hundred thousand dollars for each percent of increase in the population of the department's penal and correctional facilities, which population increase is due to the enactment of this Act."

Halvorson of Clayton rose on a point of order that amendment H—3786 was not germane.

The Speaker ruled the point not well taken and amendment H—3786 germane.

Knapp of Dubuque asked and received unanimous consent to withdraw amendment H—3786.

Rosenberg of Story offered the following amendment H–3800 filed by him and moved its adoption:

H–3800

Amend Senate File 302, as passed by the Senate as follows:

1. Page 5, by inserting after line 15, the following:

"Sec. . The Code editor may change any reference to the "division of corrections of the department of social services" appearing in this Act to the "department of corrections" and make other corrective changes to this Act consistent with the intent of Senate File 464, when Senate File 464 is enacted into law."

Amendment H–3800 was adopted.

Speaker Avenson in the chair at 3:25 p.m.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 302)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth

Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Chiodo	Koenigs

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

ADOPTION OF SENATE CONCURRENT RESOLUTION 13

Poncy of Wapello called up for consideration Senate Concurrent Resolution 13, relating to regents' bonding for academic buildings, received from the Senate on March 10, 1983, and found on pages 677 through 679 of the House Journal.

Zimmerman of Dallas asked for unanimous consent to withdraw amendment H—3425.

Objection was raised.

Zimmerman of Dallas moved to withdraw amendment H—3425 filed by her on March 28, 1983.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 79, nays 17.

The motion prevailed and amendment H—3425 was withdrawn.

Woods of Polk offered the following amendment H—3621 filed by him and moved its adoption:

H—3621

Amend Senate Concurrent Resolution 13, as amended and passed by the Senate, as follows:

1. Page 4, by inserting after line 7 the following:
"*Be It Further Resolved*, That if the actual cost of construction of projects is less than the amount of money borrowed for which bonds are issued pursuant to this resolution, the remainder shall be used to pay principal and interest on the bonds."

Amendment H—3621 lost.

Woods of Polk asked and received unanimous consent to withdraw amendment H—3622 filed by him on April 8, 1983.

Running of Linn offered the following amendment H—3664 filed by him and moved its adoption:

H—3664

Amend Senate Concurrent Resolution 13, as amended and passed by the Senate, as follows:
1. Page 4, by inserting after line 7 the following:
"*Be It Further Resolved*, That projects constructed under the authority of this resolution shall comply with the building code adopted by the city in which the project is located."

Roll call was requested by Running of Linn and Peick of Linn.

On the question "Shall amendment H—3664 be adopted?"

The ayes were, 23:

Brammer	Buhr	Chapman	Connolly
Connors	Groninga	Gronstal	Groth
Knapp	Oxley	Parker	Paulin
Pavich	Peick	Renaud	Running
Schroeder	Sherzan	Skow	Sturgeon
Van Camp	Welden	Woods	

The nays were, 72:

Anderson	Arnould	Baxter	Bennett
Blanshan	Branstad	Carl	Carpenter
Carter	Chiodo	Clark	Cochran
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann

Hoffmann-Bright	Holveck	Hughes	Hummel
Jochum	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Pellett
Poncy	Renken	Rensink	Rosenberg
Royer	Schnekloth	Shoultz	Spear
Stromer	Stueland	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Gerpen
Van Maanen	Varn	Zimmerman	Mr. Speaker

Absent or not voting, 5:

Black	Jay	Koenigs	O'Kane
Sullivan			

Amendment H—3664 lost.

Sherzan of Polk offered the following amendment H—3706 filed by Sherzan, et al. :

H—3706

Amend Senate Concurrent Resolution 13, as amended and passed by the Senate, as follows:

1. Page 4, by inserting after line 7 the following:

"*Be It Further Resolved,* That the contracts for the construction authorized by this resolution shall contain a provision to the effect that the rate of wage for all persons employed by the contractors or subcontractors on the construction project shall be not less than the prevailing rate of wages for work of a similar nature in the locality in which the work is performed. If a dispute arises as to what are the prevailing rates of wages for work of a similar nature applicable to the contracts which cannot be adjusted by the contracting officer, the dispute shall be referred to the labor commissioner, and the labor commissioner's decision shall be conclusive on all parties to the contract. The labor commissioner shall adopt rules under chapter 17A to carry out this duty. The labor commissioner may institute actions in the district court for temporary or permanent injunctive relief to prevent the letting of a public contract or to void a public contract which is let or entered into in violation of this resolution. An action shall be instituted in the district court of the county of location of the project. Notwithstanding the Iowa rules of civil procedure rule 326, if the district court determines the granting of a temporary injunction

is appropriate, the court shall issue it without notice and hearing. The prevailing rates of wages shall be stated in the invitation for bids and shall be included in proposals or bids for the work."

Clark of Cerro Gordo rose on a point of order that amendment H—3706 was not germane.

The Speaker ruled the point well taken and amendment H—3706 not germane.

Sherzan of Polk asked for unanimous consent to suspend the rules to consider amendment H—3706.

Objection was raised.

Sherzan of Polk moved that the rules be suspended to consider amendment H—3706.

Roll call was requested by Stromer of Hancock and Bennett of Ida.

On the question "Shall the rules be suspended to consider amendment H—3706?"

The ayes were, 40:

Anderson	Baxter	Brammer	Branstad
Buhr	Chapman	Cochran	Connolly
Connors	Davitt	Groninga	Gronstal
Halvorson, R. N.	Haverland	Hermann	Hoffmann-Bright
Jay	Knapp	McKean	Miller
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Van Camp	Woods	Zimmerman

The nays were, 58:

Arnould	Bennett	Blanshan	Carl
Carpenter	Carter	Chiodo	Clark
Cooper	Copenhaver	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groth	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Holveck	Hughes	Hummel
Jochum	Krewson	Lageschulte	Lloyd-Jones

Lonergan	Maulsby	McIntee	Menke
Muhlbauer	Mullins	Norland	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Gerpen	Van Maanen	Varn
Welden	Mr. Speaker		

Absent or not voting, 2:

Black	Koenigs

The motion lost.

Woods of Polk offered the following amendment H—3813 filed from the floor by him and Connolly of Dubuque:

H—3813

Amend Senate Concurrent Resolution 13 as follows:

1. Page 4, by inserting after line 7 the following:

"*Be It Further Resolved*, That in undertaking and carrying out the projects authorized under this resolution, the state board of regents shall establish a women's and minority business enterprise program to involve independent businesses owned and controlled by women and minorities in projects funded under this resolution. The program shall establish an overall goal for the participation of women's and minority business enterprises of five percent of the proceeds from the issuance of the bonds under this resolution, and shall establish specific project goals, including dollar goals, for the participation of women's and minority business enterprises capable of meeting general contracting requirements and particular project solicitations. General contractors shall make a good faith effort to meet the specific goals established for a project funded under this resolution. The state board of regents shall maintain a current directory of women's and minority business enterprises which have been certified as owned and controlled by women or minorities and which are capable of meeting general contracting requirements and particular project solicitations. A women's or minority business enterprise shall be certified as owned and controlled by women or minorities if the business is independent, at least fifty-one percent owned by women or minorities, and managed and operated by women or minorities, with women or minorities making both the day-to-day decisions as well as the major decisions

for the business. The women's or minorities' ownership shall be real, substantial, and continuing.

In advertising for bids and letting contracts for projects funded under this resolution, the state board of regents shall establish an overall goal for the participation of women and minority workers and shall establish specific project participation goals, including percentages of women and minority workers on the project, after considering the number of women and minority workers available and trainable for the project. Contractors shall make a good faith effort to meet the specific goals established for a project funded under this resolution."

Daggett of Taylor rose on a point of order that amendment H—3813 was not germane.

The Speaker ruled the point well taken and amendment H—3813 not germane.

Woods of Polk moved that the rules be suspended to consider amendment H—3813.

Roll call was requested by Woods of Polk and Connolly of Dubuque.

On the question "Shall the rules be suspended to consider amendment H—3813?"

The ayes were, 36:

Anderson	Branstad	Buhr	Chiodo
Cochran	Connolly	Connors	Davitt
De Groot	Groninga	Gronstal	Groth
Halvorson, R. A.	Hanson	Hummel	Jay
Knapp	Maulsby	McIntee	McKean
Miller	O'Kane	Oxley	Parker
Paulin	Pavich	Renaud	Rensink
Running	Schnekloth	Schroeder	Sherzan
Skow	Sturgeon	Welden	Woods

The nays were, 62:

Arnould	Baxter	Bennett	Blanshan
Brammer	Carl	Carpenter	Carter
Chapman	Clark	Cooper	Copenhaver
Corey	Daggett	Diemer	Doderer
Fey	Fogarty	Grandia	Gruhn

Halvorson, R. N.	Hammond	Handorf	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jochum	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Menke	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Peick	Pellett	Poncy	Renken
Rosenberg	Royer	Shoultz	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Zimmerman	Mr. Speaker		

Absent or not voting, 2:

Black	Koenigs

The motion lost.

Poncy of Wapello moved the adoption of Senate Concurrent Resolution 13.

Inasmuch as the resolution required a constitutional majority, a non-record roll call was requested.

The ayes were 90, nays 8.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 575, a bill for an act relating to the rate of interest assessed as a penalty for delinquent property taxes, was taken up for consideration.

Groninga of Cerro Gordo offered the following amendment H—3539 filed by him and moved its adoption:

H—3539

Amend House File 575 as follows:

1. Page 1, line 14, by inserting after the numeral "30." the following: "After computing the amount of penalty due, the county treasurer shall round the total amount of penalty due to the nearest whole dollar with a minimum penalty of one dollar."

Amendment H—3539 was adopted.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 575)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Harbor	Haverland	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Krewson	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Sherzan	Shoultz	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 6:

Branstad	Hanson	Schnekloth	Schroeder
Stromer	Van Camp		

Absent or not voting, 3:

Hermann	Koenigs	Lonergan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER WITHDRAWN
(House File 100)

Osterberg of Linn and Groth of Buena Vista asked and received unanimous consent to withdraw the motions to reconsider House File 100, a bill for an act creating the Iowa high technology commission and providing an appropriation, filed by them on April 18 and April 19, 1983 respectively, placing out of order amendment H—3797 filed by Tabor of Jackson on April 19, 1983.

Sherzan of Polk in the chair at 4:53 p.m.

Appropriations Calendar

House File 617, a bill for an act relating to reporting and investigation of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange and making an appropriation, was taken up for consideration.

Fey 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. 617)

The ayes were, 99:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer

Running	Schnekloth	Schroeder	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Sherzan)	

The nays were, none.

Absent or not voting, 1:

Koenigs

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

The House resumed consideration of **Senate File 503**, a bill for an act relating to inmates in correctional facilities, deferred and placed on the unfinished business calendar on April 14, 1983.

Knapp of Dubuque offered the following amendment H–3585 filed by the committee on judiciary and law enforcement:

H–3585

Amend Senate File 503, as amended, passed, and reprinted by the Senate as follows:

1. Page 2, by striking lines 9 and 10, and inserting in lieu thereof the following: "may detail prisoners, classified as trustees, from ~~the state penitentiary or reformatory~~ correctional institutions under the control of the state director to perform ~~services~~ public service".

Spear of Lee offered the following amendment H–3730, to the committee amendment H–3585, filed by him and moved its adoption:

H–3730

Amend H–3585 to Senate File 503, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 5, by striking the word "trustees" and inserting in lieu thereof the word "trusties".

Amendment H–3730 was adopted.

On motion by Knapp of Dubuque, the committee amendment H—3585, as amended, was adopted.

Spear of Lee offered the following amendment H—3729 filed by him and moved its adoption:

H—3729

Amend Senate File 503, as amended, passed, and reprinted, by the Senate, as follows:

1. Page 1, line 20, by inserting after the word "States" the words "or foreign".

2. Page 1, line 24, by striking the words "United States".

3. Page 1, line 26, by striking the word "United".

4. Page 1, line 27, by striking the word "States".

Amendment H—3729 was adopted.

Spear of Lee offered the following amendment H—3728 filed by him and moved its adoption:

H—3728

Amend Senate File 503 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 5, by inserting after the word "repair," the words "authorized demolition,".

Amendment H—3728 was adopted.

Spear of Lee offered the following amendment H—3736 filed by him and moved its adoption:

H—3736

Amend Senate File 503, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, by striking lines 13 through 21, and inserting in lieu thereof the following: "~~conservation commission shall provide proper supervision, housing and maintenance for said prisoners but the surveillance of said prisoners shall remain under employees of the state director~~ supervision, security, transportation, and compensation of inmates used in public service projects shall be provided pursuant to agreements made by the director of the division

of adult corrections and the agency of state, local, or county government for which the work is done. Housing and maintenance shall also be provided pursuant to the agreement unless the inmate is housed and maintained in the correctional facility. All such employment, including but".

Amendment H—3736 was adopted.

Speaker Avenson in the chair at 5:20 p.m.

Spear of Lee offered the following amendment H—3731 filed by him:

H—3731

Amend Senate File 503 as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by inserting after line 25 the following:

"However, an inmate shall not be employed in a public service project if the employment of that inmate would replace a person employed by the state agency or political subdivision which employee is performing the work of the public service project at the time the inmate is being considered for employment in the project."

Norland of Worth asked and received unanimous consent that Senate File 503 be deferred and that the bill retain its place on the unfinished business calendar.

(Amendment H—3731 pending.)

Ways and Means Calendar

Senate File 208, a bill for an act authorizing the issuance of industrial revenue bonds under chapter 419 for museums, libraries, and tourist information centers, with report of committee recommending passage was taken up for consideration.

Krewson of Polk offered the following amendment H—3808 filed by him from the floor and moved its adoption:

H—3808

Amend Senate File 208 as follows:

1. Page 1, by striking lines 23 and 24 and inserting in lieu thereof the following: "that does multistate business, or of a nonprofit museum, nonprofit library, or nonprofit tourist information center, or of a telephone company, or".

Amendment H—3808 lost.

Brammer 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. 208)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 7:

Grandia	Hanson	Krewson	Maulsby
McKean	Renken	Welden	

Absent or not voting, 2:

Koenigs	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of **Senate File 495**, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, and amendment H–3794 found on page 1426 of the House Journal.

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendment H–3794.

Doderer of Johnson offered the following amendment H–3810 filed from the floor by Doderer, Harbor, Halvorson of Clayton, Pavich, Clark, Schnekloth, Welden, McKean and Schroeder:

H–3810

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 23, by striking lines 9 and 10 and inserting in lieu thereof the following: ", and who has otherwise qualified as provided in".

Doderer of Johnson offered the following amendment H–3816, to amendment H–3810, filed by her from the floor and moved its adoption:

H–3816

Amend the amendment H–3810, filed to Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 5 the following:

" . Page 23, line 12, by inserting after the word "article." the following: "However, a person who has not attained the age of sixty-five years is entitled to an annuity as provided in this article if, upon separation, the person has completed twenty-five years of consecutive service as a judge, with an aggregate of at least six years of service prior to July 1, 1983."

Amendment H–3816 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien, for a portion of the evening, on request of Avenson of Fayette.

Doderer of Johnson moved the adoption of amendment H—3810, as amended.

A non-record roll call was requested.

The ayes were 61, nays 16.

Amendment H—3810, as amended, was adopted.

Doderer of Johnson asked and received unanimous consent to withdraw amendment H—3794.

Schroeder of Pottawattamie offered the following amendment H—3697 filed by him and moved its adoption:

H—3697

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 25, line 10, by inserting after the word "writing." the words "The investigation shall include a report of an examination of the judge by three physicians from the university of Iowa hospitals and clinics, containing the physicians' conclusions and recommendations relating to the judge's incapacity."

Amendment H—3697 was adopted.

McIntee of Black Hawk offered the following amendment H—3803 filed by him and Rosenberg of Story and moved its adoption:

H—3803

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. By striking page 21, line 11 through page 31, line 20.
2. Page 138, line 6, by striking the figure "605A".
3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 51, nays 36.

Amendment H—3803 was adopted, placing out of order amendments H—3697, H—3810 and H—3816, previously adopted.

Schroeder of Pottawattamie offered the following amendment H—3668 filed by him and moved its adoption:

H—3668

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 34, by striking line 10 and inserting in lieu thereof the following: "may adopt rules pursuant to chapter 17A for the commission's operation and procedure."

A non-record roll call was requested.

The ayes were 28, nays 58.

Amendment H—3668 lost.

Harbor of Mills offered the following amendment H—3660 filed by Harbor, et al. :

H—3660

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 49, by striking lines 11 through 18 and inserting in lieu thereof the following: "government or elsewhere, but a judge of the court of appeals is not entitled to reimbursement for expenses incurred as a result of residing or maintaining a residence other than at the seat of state government."

Harbor of Mills asked and received unanimous consent to temporarily defer action on amendment H—3660.

Varn of Johnson offered the following amendment H—3764 filed by Varn, et al. :

H–3764

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 67, by striking line 13 and inserting in lieu thereof the words "eligible to vote under sections".

2. Page 76, by striking lines 30 through 34 and inserting in lieu thereof the following:

"14. Maintain a bar admission list as provided in section 46.8."

3. Page 104, by inserting after line 5 the following:

"Sec. . Section 46.5, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. When a vacancy in an office of an elective judicial nominating commissioner occurs, the clerk of the supreme court shall arrange for the publication of a notice stating the existence of the vacancy and the manner in which the vacancy will be filled in those publications which the clerk of the supreme court deems likely to give reasonable notice to the eligible voting members of the bar of the district in which the vacancy occurs. The election of a district judicial nominating commissioner or the close of nominations for a state judicial nominating commissioner shall not occur until thirty days after the publication of the notice.

Sec. . Section 46.7, Code 1983, is amended to read as follows:

46.7 ELIGIBILITY TO VOTE. To be eligible to vote in elections of judicial nominating commissioners, a member of the bar must ~~have registered in writing with the clerk of the district court of the county of his residence at the last bar registration preceding such election~~ be a resident of the state of Iowa and of the appropriate congressional district as shown by the member's most recent filing with the supreme court for the purposes of showing compliance with the court's continuing legal education requirements. A judge who has been admitted to the bar of the state of Iowa shall be considered a member of the bar.

Sec. . Section 46.8, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

46.8 CERTIFIED LIST. On June 1 of each year the clerk of the supreme court shall certify a list of the names, addresses, and years of admission of members of the bar who are eligible to vote for state and district judicial nominating commissioners. The clerk of the supreme court shall provide a copy of the list of the members for a county to the clerk of the

Page 2

district court for that county.

Sec. . Section 46.9, unnumbered paragraph 4, Code 1983, is amended to read as follows:

Vote for (state number) for Iowa State (or Iowa ..... Judicial District) judicial nominating commissioner(s) for term commencing.....

___ ~~JOHN DOE~~ CANDIDATE'S NAME

___ ~~RICHARD ROE~~ CANDIDATE'S NAME

___ .....

___ .....

Sec. . Section 46.15, unnumbered paragraph 2, Code 1983, is amended to read as follows:

Vacancies in the court of appeals shall be filled by appointment by the governor from a list of nominees submitted by the state judicial nominating commission. ~~Three~~ Five nominees shall be submitted for each vacancy. If the governor fails to make an appointment within thirty days after a list of nominees has been submitted, the appointment shall be made from the list of nominees by the chief justice of the supreme court."

4. By renumbering as necessary.

Varn of Johnson offered the following amendment H—3780, to amendment H—3764, filed by him and Doderer of Johnson and moved its adoption:

H—3780

Amend the amendment, H—3764, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 35, by inserting after the word "district" the words "or judicial election district".

Amendment H—3780 was adopted.

On motion by Varn of Johnson, amendment H—3764, as amended, was adopted.

Spear of Lee offered the following amendment H—3684 filed by him and moved its adoption:

H—3684

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 71, by striking lines 15 and 16 and inserting in lieu thereof the words "boundary of the state as provided in the compact with the state of Nebraska, and to all lands and territory".

Amendment H—3684 was adopted.

Spear of Lee offered the following amendment H—3775 filed by him and moved its adoption:

H—3775

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 79, line 25, by inserting after the word "reformatory" the words "or to the superintendent of the Iowa correctional institution for women".

Amendment H—3775 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Skow of Guthrie, for the remainder of the day, on request of Hughes of Union.

Cooper of Lucas offered the following amendment H—3796 filed by Cooper, et al. :

H—3796

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 83, by striking lines 6 and 7.

2. Page 94, by striking line 27 and inserting in lieu thereof the following:

"bb. For".

3. Page 109, by inserting after line 7 the following:

"Sec. . Section 144.5, subsection 3, Code 1983, is amended to read as follows:

3. Direct, supervise, and control the activities of local registrars and deputy local registrars, and the activities of clerks of the district court and county recorders related to the operation of the vital statistics system and provide registrars with necessary postage.

Sec. . Section 144.12, Code 1983, is amended to read as follows:

144.12 FORMS UNIFORM. In order to promote and maintain uniformity in the system of vital statistics, the forms of certificates, reports, and other returns, shall include as a minimum the items recommended by the federal agency responsible for national vital statistics subject to approval and modification by the department. Forms shall be furnished by the department. The forms or other recording methods used by county and local registrars and county recorders to record copies of records made under this chapter shall be prescribed by the department.

Sec. . Section 144.13, subsections 1 and 2, Code 1983, are amended as follows:

1. A certificate of birth for each live birth which occurs in this state shall be filed with the ~~local registrar of the district~~ county recorder in the county in which the birth occurs within five days after the birth and shall be registered by the ~~registrar~~ recorder if it has been completed and filed in accordance with this chapter; provided that when a birth occurs in a moving conveyance, a birth certificate shall be filed in the ~~district~~ county in which the child was first removed from the conveyance.

2. When a birth occurs in an institution, the person in charge of the institution or ~~his~~ the person's designated representative shall obtain the personal data, prepare the certificate, secure the signatures required by the certificate and file the certificate with the ~~local registrar~~ county recorder. The physician in attendance shall certify to the facts of birth and provide the medical information required

Page 2

by the certificate within three days after the birth.

Sec. . Section 144.14, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Whoever assumes the custody of a living infant of unknown parentage shall report on a form and in the manner prescribed by the state registrar within five days to the ~~local registrar~~ county recorder of the ~~district~~ county in which the child was found, the following information:

Sec. . Section 144.26, Code 1983, is amended to read as follows:

144.26 DEATH CERTIFICATE. A death certificate for each death which occurs in this state shall be filed with the ~~local registrar~~ county recorder of the ~~district~~ county in which the death occurred within three days after the death and prior to final

disposition, and shall be registered by the ~~registrar~~ recorder if it has been completed and filed in accordance with this chapter. All information including the certifying physician's name shall be typewritten.

If the place of death is unknown, a death certificate shall be filed in the ~~registration district~~ county in which a dead body is found within three days after the body is found. If death occurs in a moving conveyance, a death certificate shall be filed in the ~~registration district~~ county in which the dead body was first removed from the conveyance.

If a person dies outside of the county of the person's residence, the state registrar shall send a copy of the death certificate to the county ~~registrar~~ recorder of the county of the decedent's residence. The county ~~registrar~~ recorder shall record the death certificate in the same records in which death certificates of persons who died within the county are recorded.

Sec. . Section 144.29, Code 1983, is amended to read as follows:

144.29 FETAL DEATHS. A fetal death certificate for each fetal death which occurs in this state after a gestation period of twenty completed weeks or more shall be filed with the ~~local registrar~~ county recorder of the ~~district~~ county in which the delivery of the dead fetus occurred within three days after delivery and prior to final disposition of the fetus and shall be registered if it has been completed and filed in accordance with this chapter.

If the place of delivery of a dead fetus is unknown, a fetal death certificate shall be filed in the ~~registration district~~ county in which a dead fetus

Page 3

was found within three days after the fetus is found. If a fetal death occurs in a moving conveyance, a fetal death certificate shall be filed in the ~~registration district~~ county in which the fetus was first removed from the conveyance.

Sec. . Section 144.32, Code 1983, is amended to read as follows:

144.32 BURIAL-TRANSIT PERMIT. The funeral director who first assumes custody of a dead body or fetus shall obtain a burial-transit permit prior to final disposition of the body or fetus and within seventy-two hours after death. When a person other than a funeral director assumes custody of a dead body or fetus, the person shall be responsible for securing

the permit required in this section. A burial-transit permit shall be issued by the ~~local registrar~~ county recorder of the ~~district~~ county where the certificate of death or fetal death was filed in accordance with the requirements of sections 144.26 to 144.31."

4. Page 109, lines 11 and 12, by striking the words "clerk of the district court" and inserting in lieu thereof the words "~~clerk of the district court~~ county recorder".

5. Page 109, lines 15 and 16, by striking the words "clerk of the district court" and inserting in lieu thereof the words "~~clerk of the district court~~ county recorder".

6. Page 109, by inserting after line 23 the following:

"Sec. . Section 144.36, subsections 2 and 4, Code 1983, are amended to read as follows:

2. Every person who performs a marriage shall certify the fact of marriage and return the certificate to the ~~clerk of the district court~~ county recorder within fifteen days after the ceremony. The certificate shall be signed by the witnesses to the ceremony and the person performing the ceremony.

4. The ~~clerk of the district court~~ county recorder shall record and forward to the state registrar on or before the tenth day of each calendar month the original certificates of marriages filed with ~~him~~ the recorder during the preceding calendar month."

7. Page 109, by inserting after line 33 the following:

"Sec. . Section 144.43, unnumbered paragraph 2, Code 1983, is amended to read as follows:

However, the following vital statistics may be inspected and copied as of right under chapter 68A when they are in the custody of a county or ~~of~~ a local registrar or a county recorder:

Page 4

Sec. . Section 144.45, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The state registrar, ~~and~~ the clerk of the district court, and the county recorder shall, upon written request from any applicant entitled to such record, issue a certified copy of any certificate or record in ~~his~~ the registrar's, the clerk's, or the recorder's custody or of a part thereof. Each copy issued shall show the date of registration; and copies issued from records marked "delayed", "amended", or "court order" shall be similarly marked and show the effective date."

8. Page 120, by inserting after line 3 the following:

"Sec. . Section 331.602, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 12A. Carry out duties relating to birth and death certificates as provided in chapter 144.

NEW SUBSECTION. 37A. Accept applications for and issue marriage licenses as provided in chapter 595.

Sec. . Section 331.605, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. For the issuance of a marriage license, ten dollars."

9. Page 125, by inserting after line 15 the following:

"Sec. . Section 595.3, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Previous to the solemnization of any marriage, a license for that purpose must be obtained from the ~~clerk of the district court~~ county recorder. Such license must not be granted in any case:

Sec. . Section 595.4, Code 1983, is amended to read as follows:

595.4 AGE AND QUALIFICATION—VERIFIED APPLICATION--WAITING PERIOD—EXCEPTION. Previous to the issuance of any license to marry, the parties desiring ~~such~~ the license shall sign and file a verified application with the ~~clerk of the court~~ county recorder which application either may be mailed to the parties at their request or may be signed by them at the office of the ~~clerk of the district court~~ recorder in the county in which the license is to be issued. ~~Such~~ The application shall set forth at least one affidavit of some competent and disinterested person stating ~~such~~ the facts as to age and qualification of the parties as the ~~clerk~~ recorder may deem necessary to determine the competency of the parties to contract

Page 5

a marriage. Upon the filing of the application for a license to marry, the ~~clerk of the district court~~ recorder shall file the application in a record kept for that purpose.

After expiration of three days from the date of filing the application by the parties, the ~~clerk~~ recorder shall issue the license if ~~he~~ the recorder is satisfied as to the competency of the parties to contract a marriage. If the license has not been issued within one year from the date of the

application, the application shall be void and of no effect.

A license to marry may be issued prior to the expiration of three days from the date of filing the application for ~~such~~ the license in cases of emergency or extraordinary circumstances. An order authorizing the issuance of ~~such~~ the license may be granted by a judge of the district court under conditions of emergency or extraordinary circumstances upon application of the parties ~~therefor~~ filed with the clerk of the district court. ~~No such~~ The order ~~may~~ shall not be granted unless the parties have filed an application for a marriage license in a county within the judicial district. An application for ~~such~~ the order shall be made on forms furnished by the clerk at the same time the application for the license to marry is made with the recorder. If after examining the application for the marriage license the clerk is satisfied as to the competency of the parties to contract a marriage, ~~he~~ the clerk shall refer the parties to a judge of the district court for action on the application for an order authorizing the issuance of a marriage license prior to expiration of three days from the date of filing the application for the license. The judge shall, if satisfied as to the existence of an emergency or extraordinary circumstances, grant an order authorizing the issuance of a license to marry prior to the expiration of three days from the date of filing the application for the license to marry. The ~~clerk~~ recorder shall issue a license to marry upon presentation by the parties of the order authorizing ~~such~~ the license to be issued. A fee of five dollars shall be paid to the clerk at the time the application for the order is made, which fee shall be in addition to the fee prescribed by law for the issuance of a marriage license by the recorder.

Sec. . Section 595.5, Code 1983, is amended to read as follows:

595.5 SURNAME ADOPTED. Upon marriage either party

Page 6

may request on the application for a marriage license a name change to that of the other party or to some other surname mutually agreed upon by the parties. The names used on the marriage license shall become the legal names of the parties to the marriage. The marriage license shall contain a statement that when a name change is requested and affixed to the marriage license, the new name is the legal name of the

requesting party. If a party requests a name change, other than a change of surname to that of the other spouse or to a hyphenated combination of the surnames of both spouses, the party shall request approval of the court pursuant to chapter 674 and shall submit to the court the information required by section 674.2, and upon approval of the court and solemnization of the marriage, the ~~clerk of court~~ county recorder shall send a certified copy of the return of marriage to the recorder's office in every county in this state where real property is owned by either of the parties. The judge may approve the name change. The new names and the immediate former names shall appear on the return of marriage, and the return of marriage shall be recorded in the miscellaneous records in the recorder's office. An individual can have only one legal name at any one time.

Sec. . Section 595.6, Code 1983, is amended to read as follows:

595.6 FILING AND RECORD REQUIRED. The affidavit or certificate, in each case, shall be filed by the ~~clerk~~ county recorder and constitute a part of the records of ~~his~~ the recorder's office. A memorandum of ~~such~~ the affidavit or certificate shall also be entered in the license book.

Sec. . Section 595.7, Code 1983, is amended to read as follows:

595.7 DELIVERY OF BLANK WITH LICENSE. When a license is issued the ~~clerk~~ county recorder shall deliver to the applicant a blank return for the marriage, and give ~~such~~ instructions ~~relative thereto as will~~ to the applicant to insure a complete and accurate return.

Sec. . Section 595.11, Code 1983, is amended to read as follows:

595.11 NONSTATUTORY SOLEMNIZATION—FORFEITURE. Marriages solemnized, with the consent of parties, in any other manner than as herein prescribed, are valid; but the parties thereto, and all persons aiding or abetting them, shall forfeit to the school fund the sum of fifty dollars each; but this shall not apply to the person conducting the marriage ceremony,

Page 7

if within fifteen days thereafter ~~he~~ the person makes the required return to the ~~clerk of the district court~~ county recorder.

Sec. . Section 595.13, subsection 2, Code 1983, is amended to read as follows:

2. Make return of such marriage within fifteen

days to the ~~clerk of the district court~~ county recorder, who issued the marriage license upon the blank provided for that purpose.

Sec. . Section 595.15, Code 1983, is amended to read as follows:

595.15 INADEQUATE RETURN. If the return of a marriage is not complete in every particular as required by the forms specified in section 144.12, the ~~clerk~~ county recorder shall require the person making the same to supply the omitted information.

Sec. . Section 595.16, Code 1983, is amended to read as follows:

595.16 SPOUSE RESPONSIBLE FOR RETURN. When a marriage is consummated without the services of a cleric or magistrate, the required return thereof may be made to the ~~clerk~~ county recorder by either spouse."

10. Page 138, line 8, by inserting after the figure "66.25," the figures "144.10, 144.11".

11. By renumbering as necessary.

Groth of Buena Vista offered the following amendment H—3818, to amendment H—3796, filed by him from the floor and moved its adoption:

H—3818

Amend the amendment, H—3796, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 6, by striking lines 48 and 49, and inserting in lieu thereof the words "or abetting them, shall ~~forfeit to the school fund the sum~~ pay a penalty of fifty dollars each; but this shall not".

2. Page 7, line 3, by inserting after the word "recorder." the words "The penalties shall be conveyed by the clerk of the district court to the treasurer of state for distribution under section 602.9107."

Amendment H—3818 was adopted.

Copenhaver of Buchanan in the chair at 6:40 p.m.

Cooper of Lucas moved the adoption of amendment H—3796, as amended.

Amendment H—3796, as amended, was adopted.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—3666 filed by him on April 11, 1983 and amendment H—3783 (to amendment H—3666) filed by him on April 18, 1983.

Welden of Hardin offered the following amendment H—3643 filed by him and moved its adoption:

H—3643

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 97, line 4, by striking the figure "1985" and inserting in lieu thereof the figure "1984".

2. Page 97, line 7, by striking the figure "1984" and inserting in lieu thereof the figure "1983".

Amendment H—3643 was adopted.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3705 filed by him on April 12, 1983.

Parker of Jasper offered the following amendment H—3665 filed by him and Chiodo of Polk:

H—3665

Amend Senate File 495 as amended, passed, and reprinted by the Senate, as follows:

1. Page 100, by inserting after line 5 the following:

"ARTICLE 10

REAL PROPERTY ASSESSMENT REVIEW PROCEDURES

PART 1

Sec. . NEW SECTION. 602.10101 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Assessed valuation" means the determination made by assessors of the valuation of real property, including the valuation of exempt real property.

2. "Excessive assessment" means an entry on an assessment roll of the assessed valuation of real property which exceeds the full value of real property.

3. Real property is "misclassified" if there is:

a. An entry on an assessment roll of an incorrect class designation.

b. An entry on an assessment roll which results in an incorrect allocation of a parcel's assessed valuation between two or more classes.

4. "Tax district" means a county, city, school district, or special district by or on behalf of which a tax or levy is imposed.

5. "Unequal assessment" means an entry on an assessment roll of the assessed valuation of real property which is made at a higher proportionate valuation than the assessed valuation of other real property of the same class on the same roll.

6. "Unlawful assessment" means:

a. An entry on the taxable portion of an assessment roll of the assessed valuation of real property which is wholly exempt from taxation.

b. An entry on an assessment roll of the assessed valuation of real property which is entirely outside the boundaries of the assessing tax district in which the real property is designated as being located.

c. An entry on an assessment roll of the assessed valuation of real property which cannot be identified from the assessment roll description or tax-map land parcel number on the assessment roll.

d. An entry on an assessment roll of the assessed valuation of real property which has been made by a person without the authority to make the entry.

Sec. . NEW SECTION. 602.10102 COMPLAINTS WITH RESPECT TO ASSESSMENTS.

1. Complaints with respect to assessments may be filed with the assessor at any time prior to the hearing of the board of review or with the board of

Page 2

review at the hearing required under section 441.23 or, where authorized by the board, at any adjourned hearing.

2. The grounds for review of an assessment are that the assessment complained of is excessive, unequal, or unlawful, or that real property is misclassified.

3. A complaint with respect to an assessment shall be on a form prescribed by the director of revenue and shall consist of a statement specifying the respect in which the assessment is excessive, unequal, or unlawful, or the respect in which real property is misclassified, and the reduction in assessed valuation or taxable assessed valuation or change in class designation or allocation of assessed valuation sought.

Sec. . NEW SECTION. 602.10103 HEARING AND DETERMINATION OF COMPLAINTS.

1. The board of review shall fix the time and place for a hearing to hear complaints with respect to assessments.

2. At such hearing, the board of review may administer oaths and take testimony in regard to a complaint and the assessment to which it relates.

If not satisfied that the assessment is excessive, unequal, or unlawful, or that real property is misclassified, the board may require the person whose real property is assessed to appear before the board and be examined concerning the complaint, and may produce any papers relating to the assessment.

3. If, at the hearing, a person whose real property is assessed willfully neglects or refuses to attend and be examined, or to answer any questions relevant to the complaint or assessment, that person is not entitled to a reduction of the assessment subject to complaint.

4. The minutes of the examination of every person examined upon the hearing of a complaint shall be taken and filed in the office of the city clerk. The assessor may be heard on any complaint and upon the assessor's request, the assessor's remarks with respect to a complaint shall be recorded in the minutes of the board.

5. The board of review shall thereafter determine the final assessed valuation, or the actual assessment or transition assessment, or the proper class designation of the real property of each complaint. The final assessed valuation or taxable valuation of real property may be the same as or less than the original assessment or, if determined to be unlawful, the assessment shall be ordered stricken from the

Page 3

roll or, where appropriate, entered on the exempt portion of the roll. If it is determined that real property is misclassified, the correct class designation or allocation of assessed valuation shall be ordered entered on the roll. The board of review shall prepare and verify a statement showing the changes determined to be made by them in the assessments. The verified statement shall be delivered to the assessor on or before the date required by law for the final completion of the assessment.

6. On or before the date the verified statement of changes made by the board of review is delivered to the assessor, the board of review shall mail to each complainant a notice of the board's determination of assessment. The notice shall contain the statement "If you are dissatisfied with the determination of the board of review, you may seek judicial review of your assessment pursuant to section 602.10202 of the Code." The notice shall state the last date to file petitions for judicial review and the location where small claims assessment review petitions may

be obtained. However, failure to mail the notice or failure of the complainant to receive the notice does not affect the validity of the assessment.

PART 2

SMALL CLAIMS REVIEW OF REAL PROPERTY TAX ASSESSMENTS

Sec. . NEW SECTION. 602.10201 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Assessed valuation" means the determination made by assessors of the valuation of real property, including the valuation of exempt real property.

2. "Excessive assessment" means an entry on an assessment roll of the assessed valuation of real property which exceeds the full value of real property.

3. Real property is "misclassified" if there is:

a. An entry on an assessment roll of an incorrect class designation.

b. An entry on an assessment roll which results in an incorrect allocation of a parcel's assessed valuation between two or more classes.

4. "Tax district" means a county, city, school district, or special district by or on behalf of which a tax or levy is imposed.

5. "Unequal assessment" means an entry on an assessment roll of the assessed valuation of real property which is made at a higher proportionate valuation than the assessed valuation of other real property of the same class on the same roll.

6. "Unlawful assessment" means:

Page 4

a. An entry on the taxable portion of an assessment roll of the assessed valuation of real property which is wholly exempt from taxation.

b. An entry on an assessment roll of the assessed valuation of real property which is entirely outside the boundaries of the assessing tax district in which the real property is designated as being located.

c. An entry on an assessment roll of the assessed valuation of real property which cannot be identified from the assessment roll description or tax-map land parcel number on the assessment roll.

d. An entry on an assessment roll of the assessed valuation of real property which has been made by a person without the authority to make the entry.

Sec. . NEW SECTION. 602.10202 PROCEDURE FOR REVIEW OF REAL PROPERTY TAX ASSESSMENTS IN SMALL CLAIMS.

1. The court administrator of the judicial department shall establish a small claims assessment

review program in the supreme court. An owner of real property claiming to be aggrieved by an assessment on real property on the ground that the assessment is excessive, unequal, or unlawful, or that real property has been misclassified, may file a petition for review pursuant to this chapter provided that:

a. The property owner has first filed a complaint pursuant to section 602.10102.

b. The total anticipated reduction in all taxes and levies does not exceed two thousand dollars.

c. The petition does not request an assessment lower than that requested in the complaint filed pursuant to section 602.10102.

2. The petition for review shall be filed within one hundred eighty days of the completion and filing of the assessment roll containing the questioned assessment, and in accordance with the rules adopted pursuant to section 602.10207. A docket fee of ten dollars shall be paid upon the filing of each petition. Four dollars of the fee shall remain with the county treasury for use of the county and six dollars of the fee shall be paid into the state treasury. Other fees imposed in this action are same as required in regular actions in district court.

3. The petition form for small claims assessment review shall be prescribed by the court administrator. Such form shall require the petitioner to set forth name, address, and telephone number, a description of the real property for which small claims assessment review is sought, the name of the assessing unit

Page 5

having made the assessment, and the name and location of the board of assessment review hearing pursuant to section 602.10102.

4. A petition for small claims assessment review shall not relate to more than one parcel of real property.

Sec. . NEW SECTION. 602.10203 APPOINTMENT OF HEARING OFFICERS. The court administrator shall appoint a panel of small claims hearing officers selected from persons requesting to serve who have submitted resumes of qualifications. Hearing officers to be appointed to the panel shall be qualified by training, interest, experience, and knowledge of real property assessment and valuation practices and provisions of state and local law governing the making of assessments, but need not be attorneys. The assigned hearing officer shall conduct an informal

hearing on the petition for review with the applicants for small claims assessment review and a representative of the tax district, or the assessor which made the assessment sought to be reviewed. Hearing officers assigned shall be familiar with the assessing jurisdiction in which the real property subject to review is located, and shall not have a conflict of interest with regard to the petitions being heard. Hearing officers shall be compensated for their services in accordance with a fee schedule to be established by the court administrator.

Sec. . NEW SECTION. 602.10204 HEARING PROCEDURES.

1. Small claims assessment review hearings shall be held within thirty days after the final day for filing petitions. The hearing, where practicable, shall be held at a location within the county in which the real property subject to review is located. The petitioner, the tax district, and the assessor which made the assessment shall be advised by mail of the time and place of the hearing.

2. The petitioner need not present expert witnesses nor be represented by an attorney at the hearing. The proceedings shall be conducted on an informal basis in a manner to do substantial justice between the parties according to the rules established by the court administrator under section 602.10207. The hearing officer shall consider the best evidence presented in each particular case. The hearing officer may, if the officer deems it appropriate, view or inspect the real property subject to review. The petitioner has the burden of proving entitlement to the relief sought.

Page 6

3. The hearing officer shall determine all questions of fact and law de novo.

Sec. . NEW SECTION. 602.10205 DECISION ON PETITION.

1. The hearing officer shall make a decision in writing with respect to the petition for small claims assessment review within thirty days after conclusion of the hearing. If it is determined that the assessment was excessive, the hearing officer's decision may grant the petition in full or in part or may deny the petition. However, the decision of the hearing officer shall not reduce the assessment lower than requested by the petitioner.

2. If the hearing officer determines from the petition and upon the evidence presented at the hearing

that the assessment being reviewed is excessive, unequal, or unlawful, or that the property assessed was misclassified, the hearing officer shall order a correction of the assessment upon the roll, in whole or in part.

3. The decision of the hearing officer shall state the findings of fact and the evidence upon which it is based. The decision shall be attached to and made part of the record for review and shall be dated and signed.

4. The hearing officer shall promptly mail a copy of the decision to the petitioner, the assessor, and the clerk of each tax district named in the petition.

Sec. . NEW SECTION. 602.10206 REFUND OF TAXES RESULTING FROM SMALL CLAIMS ASSESSMENT REVIEW. If a final order determines that the assessment reviewed was excessive, unequal, or unlawful, or that property assessed was misclassified, any amount at any time erroneously collected upon the assessment shall be refunded within sixty days of the decision. Where a refund is not made within sixty days, interest at the rate of one percent per month shall be added to the amount to be refunded for each month or part of a month in excess of sixty days and paid to petitioner.

Sec. . NEW SECTION. 602.10207 RULES OF PRACTICE AND PROCEDURE. The court administrator shall adopt rules of practice and procedure, subject to review by the supreme court, as necessary to implement the small claims assessment review procedure established in this chapter.

Sec. . NEW SECTION. 602.10208 COSTS. If a petition for small claims assessment review is granted in full or in part, the hearing officer may award the petitioner costs against the respondent assessing tax district in an amount not greater than

Page 7

the fee paid by petitioner to file the petition in accordance with section 602.10202.

Sec. . NEW SECTION. 602.10209 APPEAL. A petitioner for small claims assessment review, if dissatisfied with a decision, may appeal to the Iowa supreme court for certiorari. All records, documents, and evidence taken by the board of review and the hearing officers shall be forwarded with the appeal to the Iowa supreme court."

2. Page 147, by inserting after line 12 the following:

"Sec. . CERTAIN CONFLICTING PROVISIONS. Article 10, as it relates to the review of a real property tax assessment procedure, takes precedence over contrary provisions of the Code."

3. By renumbering as necessary.

Schnekloth of Scott rose on a point of order that amendment H—3665 was not germane.

The Speaker ruled the point well taken and amendment H—3665 not germane.

Parker of Jasper asked for unanimous consent to suspend the rules to consider amendment H—3665.

Objection was raised.

Parker of Jasper moved that the rules be suspended to consider amendment H—3665.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 46, nays 47.

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth on request of Torrence of Muscatine, Halvorson of Clayton on request of Harbor of Mills, both for the remainder of the day.

Speaker Avenson in the chair at 6:58 p.m.

Schroeder of Pottawattamie offered the following amendment H—3812 filed by him from the floor and moved its adoption:

H—3812

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 125, by inserting after line 24 the following:

"Sec. . NEW SECTION. 622.29 FACSIMILES OF SIGNATURES.

1. The judicial council shall prescribe rules and procedures for the use of a signature facsimile

by a justice of the supreme court or a judge of the court of appeals, or a district judge, district associate judge, magistrate, clerk of the district court, county attorney, court reporter, or a law enforcement officer in all instances where a law of this state requires a written signature.

2. The judicial council shall prescribe rules and procedures for the use of a signature facsimile by a person other than an individual named in subsection 1, when directed and authorized by an individual named in subsection 1."

Amendment H—3812 was adopted.

Renken of Grundy offered the following amendment H—3811 filed by him from the floor and moved its adoption:

H—3811

Amend Senate File 495, as amended, passed and reprinted by the Senate as follows:

1. Page 131, by inserting after line 32 the following:

"Sec. . Section 815.7, Code 1983, is amended to read as follows:

815.7 FEES TO ATTORNEYS. An attorney appointed by the court to represent any person charged with a crime in this state shall be entitled to a reasonable compensation which shall be the ordinary and customary charges for like services in the community to be decided in each case by a judge of the district court, including such sum or sums as the court may determine are necessary for investigation in the interests of justice and in the event of appeal the cost of obtaining the transcript of the trial and the printing of the trial record and necessary briefs in behalf of the defendant. However, the attorney shall not be entitled to an hourly fee which exceeds the statewide average hourly fee computed by the state court administrator for all court-appointed attorneys in this state, based on the last year of completed court records. ~~Such~~ The attorney need not follow the case into another county or into the appellate court unless so directed by the court at the request of the defendant, where grounds for further litigation are not capricious or unreasonable, but if ~~such~~ the attorney does so ~~his or her~~ the attorney's fee shall be determined accordingly. Only one attorney fee shall be so awarded in any one case except that in class "A" felony cases, two may be authorized."

2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 42, nays 47.

Amendment H—3811 lost.

Harbor of Mills offered the following amendment H—3620 filed by Harbor, et al., and moved its adoption:

H—3620

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 139, line 4, by inserting after the word "office." the words and figures "The district judges of a judicial election district shall give first and primary consideration for appointment of a clerk of the district court to serve the court beginning in 1989 to a clerk serving on and after July 1, 1986 until the expiration of the clerk's elected term of office."

Amendment H—3620 was adopted.

Connors of Polk offered the following amendment H—3680 filed by him and moved its adoption:

H—3680

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 142, by inserting after line 1 the following:

"Sec. ___. COMPENSATION AND BENEFITS. The state compensation and other benefits provided to a former county employee who becomes a state employee as a result of this Act shall not be reduced below the compensation and other benefits received by the county employee immediately prior to becoming a state employee."

2. By renumbering as necessary.

Amendment H—3680 was adopted.

Swartz of Marshall offered the following amendment H—3782 filed by him and Parker of Jasper and moved its adoption:

H—3782

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 143, line 6, by striking the words "TRANSFER OF TITLE OF".

2. Page 143, by striking lines 11 through 13 and inserting in lieu thereof the words "to in subsection 3 shall not become property of the judicial department but shall be devoted for the use of the judicial department in its course of business. The judicial department shall only be responsible for maintenance contracts or contracts for purchase entered into by the judicial department. Upon replacement of the property by the judicial department, the property shall revert to the use of the appropriate county. However, if the property is personal property of a historical nature, the property shall not become property of the judicial department, and the county shall make the property available to the judicial department for the department's use within the county courthouse until the court no longer wishes to use the property, at which time the property shall revert to the use of the appropriate county."

3. Page 144, by striking lines 9 through 13.

4. Page 144, lines 29 and 30, by striking the words "transfer under".

5. By renumbering as necessary.

Amendment H—3782 was adopted, placing out of order amendments H—3682 filed by Maulsby, et al., on April 12, 1983 and H—3689 (to amendment H—3682) filed by McIntee of Black Hawk and Parker of Jasper on April 12, 1983.

Norland of Worth asked and received unanimous consent that Senate File 495 be deferred and that the bill retain its place on the unfinished business calendar.

MOTIONS TO RECONSIDER
(House File 176)

I move to reconsider the vote by which House File 176 passed the House on April 20, 1983.

HALVORSON of Webster

(Senate Amendment H—3774 to House File 176)

I move to reconsider the vote by which the House concurred in the Senate amendment H—3774 to House File 176 on April 20, 1983.

HALVORSON of Webster

(House File 377)

I move to reconsider the vote by which House File 377 passed the House on April 20, 1983.

O'KANE of Woodbury

(Senate Concurrent Resolution 13)

I move to reconsider the vote by which Senate Concurrent Resolution 13 was adopted by the House on April 20, 1983.

PONCY of Wapello

(Senate Concurrent Resolution 13)

I move to reconsider the vote by which Senate Concurrent Resolution 13 was adopted by the House on April 20, 1983.

WOODS of Polk

(Amendment H—3803 to Senate File 495)

I move to reconsider the vote by which amendment H—3803 to Senate File 495 was adopted by the House on April 20, 1983.

SCHROEDER of Pottawattamie

(Amendment H—3795 to Senate File 495)

I move to reconsider the vote by which amendment H—3795 to Senate File 495 failed to be adopted by the House on April 20, 1983.

COPENHAVER of Buchanan

(Amendment H—3591O to Senate File 495)

I move to reconsider the vote by which the committee amendment H—3591O to Senate File 495 was adopted by the House on April 19, 1983.

JAY of Appanoose

SPONSORS ADDED

(Amendment H—3805 to House File 613)

Baxter of Des Moines requested to be added as a sponsor of amendment H—3805 to House File 613.

(Amendment H—3805 to House File 613)

Clark of Cerro Gordo requested to be added as a sponsor of amendment H—3805 to House File 613.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 20, 1983. Had I been present, I would have voted "aye" on House File 377.

BRANSTAD of Winnebago

PRESENTATION OF VISITORS

Harbor of Mills presented to the House, the Honorable William J. Scherle, former member of the House representing Mills County and Fifth District Congressman.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-seven Seniors from Charter Oak-Ute High School, Charter Oak, accompanied by Wally Welander. By Muhlbauer of Crawford.

Fifty-two sixth grade students from Milford Elementary School, Milford, accompanied by Eyleen Anderson and Judy Hagedorn. By Gruhn of Dickinson.

Twenty Seniors from Bridgewater-Fontanelle High School, Fontanelle, accompanied by Darrell Burmeister. By Hughes of Union.

Sixteen sixth grade students from Bayard Elementary School, Bayard, accompanied by Jeanna Lemke. By Skow of Guthrie.

Twenty-three Seniors from Central Webster High School, Burnside, accompanied by Jim Ainslie. By Cochran of Webster.

Thirty-five twelfth grade students from Highland High School, Riverside, accompanied by Chris Samuelson. By Corey of Louisa.

Thirty-seven government class students from Clarinda High School, Clarinda, accompanied by Mrs. Pat Cassatt. By Royer of Page.

A group of government class students from Audubon High School, Audubon, accompanied by Don Kristensen. By Anderson of Audubon.

Seventy-five eighth grade students from Dallas Center-Grimes Junior High School, Grimes. By Haverland of Polk and Zimmerman of Dallas.

Eighty sixth grade students from Garner-Hayfield Junior High School, Garner, accompanied by Dan Nielsen, Nancy Nelson and Sandy Stille. By Branstad of Winnebago and Stromer of Hancock.

Thirty-five Junior students from Lenox High School, Lenox, accompanied by Tom Pillivan. By Daggett of Taylor.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 626, a bill for an act relating to penalties for violations of the motor

fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1983.

House File 627, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1983.

House File 628, a bill for an act relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations, expanding the duties and tenure of the county finance committee, providing for current and noncurrent debt, making coordinating amendments, and continuing certain penalties.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1983.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 421), relating to property tax exemptions in an urban revitalization area for horizontal property regimes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 19, 1983.

Committee Bill (Formerly House File 492), relating to fees and taxes affecting certain motor vehicles.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 19, 1983.

AMENDMENTS FILED

H—3806	H.F.	628	Sherzan of Polk Buhr of Polk
H—3807	H.F.	627	Krewson of Polk Hanson of Delaware
H—3814	H.F.	627	Halvorson of Clayton
H—3815	S.F.	495	Connors of Polk Jay of Appanoose

H—3817	H.F.	623	Schroeder of Pottawattamie Groninga of Cerro Gordo
H—3819	H.F.	623	Groninga of Cerro Gordo
H—3820	S.F.	495	Groth of Buena Vista
H—3821	H.F.	613	Lonergan of Boone De Groot of Lyon

On motion by Norland of Worth, the House adjourned at 7:10 p.m., until 9:00 a.m., Thursday, April 21, 1983.

JOURNAL OF THE HOUSE

One Hundred Second Calendar Day — Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 21, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend David Hess, pastor of the First Baptist Church, Waverly.

The Journal of Wednesday, April 20, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Carney, Grinnell.

PETITIONS FILED

The following petitions were received and placed on file:

By Cochran of Webster, from forty constituents opposing Senate File 448, relating to the issuance, termination, and requirements for teacher's contracts.

The following petitions were received opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Anderson of Audubon, from seventy-two residents of Exira, Iowa.

By Bennett of Ida, from fifty-five constituents.

By Cochran of Webster, from one hundred twenty-two constituents.

By Harbor of Mills, from one hundred ten residents of Montgomery County.

By Koenigs of Mitchell, from two hundred eighty-four constituents.

By Maulsby of Calhoun, from one hundred ten constituents of the 9th District.

By Menke of O'Brien, from fifty-seven constituents of the 7th District.

By Pellett of Cass, from fifty-six constituents.

By Poncy of Wapello, from one hundred seventy constituents of the 70th District.

INTRODUCTION OF BILLS

House File 630, by committee on ways and means, a bill for an act relating to the refund of prorate registration fees.

Read first time and referred to committee on **finance.**

House File 631, by committee on ways and means, a bill for an act relating to property tax exemptions in an urban revitalization area.

Read first time and referred to committee on **finance.**

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, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 145, a bill for an act requiring the state department of transportation to dispose of all right of way owned by the department and not needed for projects by July 1, 1992.

Also: That the Senate has on April 19, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 325, a bill for an act relating to the service of notices terminating real estate tenancies.

Also: That the Senate has on April 19, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 336, a bill for an act regulating the activities of loan brokers and providing penalties.

Also: That the Senate has on April 19, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 349, a bill for an act relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

Also: That the Senate has on April 19, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 444, a bill for an act relating to the practice of veterinary medicine.

Also: That the Senate has on April 19, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 452, a bill for an act relating to certain vehicles, which deletes the requirement that a person transporting a mobile home provide a copy of a tax clearance.

K. MARIE THAYER, Secretary

SENATE FILES 495 AND 503, HOUSE FILE 616 DEFERRED

Norland of Worth asked and received unanimous consent that the following bills be deferred and that the bills retain their place on the calendar: Senate Files 495 and 503 and House File 616.

Menke of O'Brien in the chair at 9:25 a.m.

CONSIDERATION OF BILLS
Appropriations Calendar

House File 613, a bill for an act relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984, was taken up for consideration.

Lonergan of Boone offered the following amendment H–3652 filed by her and De Groot of Lyon:

H—3652

Amend House File 613 as follows:

1. Page 1, line 25, by striking the word "for" and inserting in lieu thereof the words "to increase the availability of".

2. Page 1, line 26, by striking the word "services".

3. Page 1, line 27, by striking the words ", and for" and inserting in lieu thereof the word "and".

4. Page 1, line 30, by inserting after the word "handicapped" the words ", and other elderly services. Funds appropriated under this subsection may be used for elderly services not specifically enumerated in this paragraph only if approved by an area agency on aging for provision of the services within the area".

Speaker Avenson in the chair at 9:37 a.m.

Zimmerman of Dallas offered the following amendment H—3804, to amendment H—3652, filed by her and moved its adoption:

H—3804

Amend amendment H—3652 to page 1 of House File 613 as follows:

1. Page 1, line 10, by inserting after the word "services." the following: "A coordinated comprehensive individual assessment program for the elderly may be created in each area agency for the aging to oversee the training of interdisciplinary teams for the purpose of assessing elderly individuals to determine their health, social, and financial needs in enabling these individuals to remain in their homes and their communities."

Amendment H—3804 was adopted.

On motion by Lonergan of Boone, amendment H—3652, as amended, was adopted.

Lonergan of Boone asked and received unanimous consent to withdraw amendment H—3798 filed by her and De Groot of Lyon on April 19, 1983.

Lonergan of Boone offered the following amendment H—3630 filed by her and De Groot of Lyon and moved its adoption:

H—3630

Amend House File 613 as follows:
1. Page 7, by inserting after line 33 the following: "The department shall not retain more than one percent of the amount appropriated under this paragraph for the costs of administering the public health nursing program. The remainder of the appropriation shall be allocated for use in the counties of the state."

Amendment H—3630 was adopted.

Lonergan of Boone asked and received unanimous consent to withdraw amendment H—3542 filed by her on April 6, 1983.

Lonergan of Boone offered the following amendment H—3821 filed by her and De Groot of Lyon and moved its adoption:

H—3821

Amend House File 613 as follows:
1. Page 12, line 12, by striking the word "may," and inserting in lieu thereof the word "shall".

Amendment H—3821 was adopted.

Sturgeon of Woodbury asked and received unanimous consent to withdraw amendment H—3801 filed by Sturgeon, et al., on April 19, 1983.

Schroeder of Pottawattamie offered the following amendment H—3822 filed by him from the floor:

H—3822

Amend House File 613 as follows:
1. Page 16, by inserting after line 23 the following:
"Sec. . Notwithstanding section 8.31 or any other provision of chapter 8, for the fiscal year beginning July 1, 1983, allotments of appropriated funds shall be on a monthly basis and shall be equal to eight percent per month of a department's or

agency's appropriation except upon good cause shown the governor by executive order may allocate the remaining monthly average of a department's or agency's appropriation. In all other respects the provisions of section 8.31 and any other provision of chapter 8 shall be applicable to the allotment of appropriated funds."

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3822.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills, for a portion of the morning, on request of Pavich of Pottawattamie.

Sturgeon of Woodbury offered the following amendment H—3805 filed by Sturgeon, et al., and moved its adoption:

H—3805

Amend House File 613 as follows:

1. Page 16, line 31, by inserting after the word "position." the following: "As a condition of the appropriation under section 4, subsection 6, the state department of health shall relinquish federal dollars appropriated under Title X of the Public Health Service Act and allocated for Lyon, Sioux, Plymouth, Woodbury, Cherokee, Ida, Delaware, Dubuque, Jackson, Washington, Louisa, Henry, Lee, and Des Moines counties in order to permit established local family planning providers to continue services without state involvement."

Amendment H—3805 was adopted.

Lonergan of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 613)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad

Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Halvorson, R. A.	Harbor	Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

House File 620, a bill for an act to allow setoffs against state income tax refunds or rebates any claims to recoup public assistance overpayments by the department of social services, was taken up for consideration.

Holveck 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. 620)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Fey	Halvorson, R. A.	Harbor	Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 621, a bill for an act removing the aggregate taxable values of real estate in a school district from a county assessor's annual abstract of real and personal property, was taken up for consideration.

Tabor of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 621)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Halvorson, R. A.	Harbor	Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 256 WITHDRAWN

Skow of Guthrie asked and received unanimous consent to withdraw House File 256 from further consideration by the House.

House File 622, a bill for an act relating to the prepayment of special assessment installments, was taken up for consideration.

Fey 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. 622)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Halvorson, R. A.	Harbor	Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 14, a bill for an act to exempt the state, its agencies, and political subdivisions of the state from the tax on motor fuel where the motor fuel is used for a public purpose and delivered into storage tanks owned or used exclusively by the state, its agencies, or a political subdivision of the state, was taken up for consideration.

O'Kane 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. 14)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Halvorson, R. A.	Harbor	Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of **Senate File 495**, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, previously deferred and retained on the unfinished business calendar.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—3674 filed by him and Parker of Jasper on April 11, 1983.

Handorf of Marshall asked and received unanimous consent to withdraw amendment H–3679 filed by Handorf, et al., on April 12, 1983.

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendment H–3724.

Connors of Polk offered the following amendment H–3815 filed by him and Jay of Appanoose and moved its adoption:

H–3815

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 12, line 20, by inserting after the word "relations" the words and figures ", except that the district court administrator is the public employer of court employees whose salaries are set by the district court administrator pursuant to section 602.1504, subsection 2, the clerk of the district court is the public employer of court employees whose salaries are set by the clerk of the district court pursuant to section 602.1505, subsection 3, and the chief juvenile court officer is the public employer of court employees whose salaries are set by the chief juvenile court officer pursuant to section 602.1506, subsection 2".

Amendment H–3815 was adopted.

Groninga of Cerro Gordo in the chair at 10:30 a.m.

Groth of Buena Vista offered the following amendment H–3820 filed by him and moved its adoption:

H–3820

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 96, by striking line 35 and inserting in lieu thereof the following: "court under sections 32.2, 99.30, 127.20, 302.44, 508.15, 511.7, 515.93, 534.12, 535.5, 595.11, 602.9106, subsection 3, 644.15, and 666.3."

2. Page 97, by striking lines 1 through 3 and inserting in lieu thereof the following:

"2. The state comptroller shall remit the amounts certified under subsection 1 to the respective county

treasurers for the benefit of the temporary school fund. If the total amount certified to the state comptroller under subsection 1 for a fiscal year is less than the total amount certified during the fiscal year beginning July 1, 1984, the state comptroller shall prorate the amounts paid to school districts. Commencing".

3. Page 97, line 4, by striking the words "in July" and inserting in lieu thereof the word and figure "July 1".

4. Page 103, by inserting after line 21 the following section:

"Sec. . Section 32.2, Code 1983, is amended to read as follows:

32.2 ACTIONS FOR PENALTY. ~~Such~~ The action or suit may be brought by and in the name of the state, on the relation of ~~any~~ a citizen ~~thereof~~ of the state, and ~~such~~ the penalty, when collected, less the reasonable cost and expense of action or suit and recovery, to be certified by the clerk of the district court of the county in which the offense is committed, shall be paid ~~into the county treasury for the benefit of the school fund~~ to the treasurer of state for distribution under section 602.9107, and two or more penalties may be sued for and recovered in the same action or suit."

5. Page 108, by inserting after line 13 the following:

"Sec. . Section 99.30, Code 1983, is amended to read as follows:

99.30 APPLICATION OF TAX. The ~~said~~ tax collected shall be applied ~~in payment of any~~ toward the deficiency in the payment of costs of the action and abatement ~~on behalf of the state to the extent of such deficiency~~ which exist after the application ~~thereto~~ of the proceeds of the sale of personal property ~~as hereinbefore provided, and the~~. The remainder of ~~said~~ the tax together with the unexpended portion of the proceeds of the sale of personal

Page 2

property shall be ~~distributed to the temporary school fund of the county~~ paid to the clerk of court who shall remit the amount to the treasurer of state for distribution under section 602.9107, except that ten percent of the amount of the whole tax collected and of the whole proceeds of the sale of ~~said~~ the personal property, as provided in this chapter, shall be paid by the treasurer to the attorney representing the state in the injunction action, at the time of final judgment."

6. Page 109, by inserting after line 7 the following section:

"Sec. . Section 127.20, Code 1983, is amended to read as follows:

127.20 SALE OF CONVEYANCE. Prior to placing the conveyance for sale to the general public, the sheriff shall permit ~~any~~ an owner or lien holder having a property interest of fifty percent or more in the conveyance the opportunity to purchase the property interest forfeited. If ~~such~~ the owner or lien holder does not exercise ~~his or her~~ an option under this section or if ~~no such~~ an owner or lien holder ~~exists~~ does not exist, the conveyance shall be sold at public auction with the proceeds first being applied to the owners and lien holders who have not had their property interest forfeited and ~~then~~ applied to the expenses of keeping the conveyance ~~and court costs~~, and any remaining funds shall be conveyed by the clerk of court to the treasurer of state for distribution under section 602.9107."

7. Page 115, by inserting after line 28 the following section:

"Sec. . Section 302.44, Code 1983, is amended to read as follows:

302.44 PENALTY AGAINST COUNTY AUDITOR. ~~Any~~ A county auditor failing or neglecting to perform ~~any of the~~ required duties ~~which are required of him by the provisions of~~ under this chapter, ~~shall be~~ is liable to a penalty of not less than one hundred nor more than five hundred dollars, to be recovered in an action brought in the district court by the board of supervisors~~, the~~. The judgment ~~to~~ shall be entered against the party and ~~his~~ the party's bondsmen, and the proceeds ~~to go to the school fund~~ shall be paid to the treasurer of state for distribution under section 602.9107."

8. Page 119, by inserting after line 30 the following:

"Sec. : Section 331.509, subsection 1, paragraph o, Code 1983, is amended to read as follows:

Page 3

o. The reports of magistrates and other officers, including forfeited recognizances in their offices, fines, penalties, forfeitures imposed in their respective courts, and forfeited appearance bonds in criminal cases, all of which are payable to the ~~county treasury for the benefit of the school fund~~ treasurer of state for distribution under section 602.9107."

9. Page 120, by inserting after line 1 the following:

"Sec. . Section 331.552, subsection 11, Code 1983, is amended to read as follows:

11. Credit funds from the sale of seized conveyances ~~to the school fund and issue duplicate receipts to the sheriff as provided in sections 127.21 and 127.22~~ to the treasurer of state for distribution under section 602.9107."

10. Page 125, by inserting after line 15 the following sections:

"Sec. . Section 508.15, Code 1983, is amended to read as follows:

508.15 VIOLATION BY FOREIGN COMPANY. Companies organized and chartered by the laws of a foreign state or country, failing to file the evidence of investment and statement within the time fixed, shall forfeit and pay the sum of three hundred dollars, to be collected in an action in the name of the state ~~for the use of the school fund~~ and paid to the treasurer of state for distribution under section 602.9107, and their right to transact further new business in this state shall immediately cease until the requirements of this chapter have been fully complied with.

Sec. . Section 511.7, Code 1983, is amended to read as follows:

511.7 RECOVERY OF PENALTIES. Actions brought to recover any of the penalties provided for in this chapter shall be instituted in the name of the state by the county attorney of the county, under the direction and authority of the commissioner of insurance, and may be brought in the district court of any county in which the company or association proceeded against is engaged in the transaction of business, or in which the offending person resides, if it is against ~~him~~ the person. The penalties, when recovered, shall be paid ~~into the state treasury for the use of the school fund~~ to the treasurer of state for distribution under section 602.9107.

Sec. . Section 515.93, Code 1983, is amended to read as follows:

Page 4

515.93 VIOLATIONS. ~~Any~~ A violation of ~~the provisions of~~ sections 515.91 and 515.92 shall for the first offense subject the company, association, or individual guilty thereof to a penalty of five hundred dollars, to be recovered in the name of the state, with costs, in an action instituted by the

county attorney, either in the county in which the company, association, or individual is located or transacts business, or in the county where the offense is committed, and ~~such~~ the penalty, when recovered, shall be paid ~~into the school fund of the county in which action is brought~~ to the treasurer of state for distribution under section 602.9107. Every subsequent violation of ~~said~~ the sections ~~shall subject~~ subjects the company, association, or individual to a penalty of one thousand dollars, to be sued for, recovered, and disposed of in like manner.

Sec. . Section 534.12, subsection 4, Code 1983, is amended to read as follows:

4. REDEMPTION. ~~At any time~~ When funds are on hand for the purpose, the association ~~shall have the right to~~ may redeem by lot or otherwise, as the board of directors ~~may determine~~ determines, all or any part of any of its savings accounts on a dividend date by giving thirty days' notice by registered mail addressed to the account holders at their last addresses recorded on the books of the association. An association shall not redeem ~~any of~~ its share accounts when the association is in an impaired condition or when it has applications for withdrawal which have been on file more than thirty days and have not been reached for payment. The redemption price of a savings account shall be the full value of the account redeemed, as determined by the board of directors, but ~~in no event shall~~ the redemption value shall not be less than the withdrawal value. If the notice of redemption has been given, and if on or before the redemption date the funds necessary for the redemption have been set aside ~~so as to be and continue to be available~~ for redemptions, dividends upon the accounts called for redemption shall cease to accrue from and after the dividend date specified as the redemption date, and ~~all~~ rights with respect to those accounts ~~shall~~ terminate as of the redemption date, subject only to the right of the account holder of record to receive the redemption value without interest. ~~All savings~~ Savings accounts which have been validly called for redemption must be tendered for payment within ten years from the date of redemption designated in the redemption notice, or

Page 5

they shall be canceled and ~~forfeited for the use of the school fund of the county in which the association has its principal place of business~~ conveyed to the clerk of court and paid to treasurer of state for

distribution under section 602.9107 and all claims of the account holders against the association ~~shall be~~ are barred forever. Redemption shall not be made of any savings accounts which are held by a person who is a director and which are necessary to qualify the person to act as director.

Sec. . Section 535.5, Code 1983, is amended to read as follows:

535.5 PENALTY FOR USURY. If it ~~shall be~~ is ascertained in ~~any~~ an action brought on ~~any~~ a contract that a rate of interest has been contracted for, directly or indirectly, in money or in property, greater than is authorized by this chapter, the ~~same~~ rate shall work a forfeiture of eight cents on the hundred by the year upon the amount of the principal remaining unpaid upon ~~such~~ the contract at the time judgment is rendered ~~thereon~~, and the court shall enter final judgment in favor of the plaintiff and against the defendant for the principal sum ~~so~~ remaining unpaid without costs, and also against the defendant and in favor of the state, ~~for the use of the school fund of the county in which the action is brought~~ to be paid to the treasurer of state for distribution under section 602.9107, for the amount of the forfeiture~~; and in no case where~~. If unlawful interest is contracted for ~~shall~~ the plaintiff shall not have judgment for more than the principal sum, whether the unlawful interest ~~be~~ is incorporated with the principal or not."

11. Page 129, by inserting after line 3 the following sections:

"Sec. . Section 644.15, Code 1983, is amended to read as follows:

644.15 PROCEEDS—FORFEITURE. The net proceeds of ~~all~~ sales made by the sheriff, and ~~all~~ money or bank notes paid over to the county treasurer, as directed in this chapter, shall remain in the hands of the county treasurer in trust for the owner, if ~~any such shall apply~~ the owner applies within one year from the time the ~~same shall~~ proceeds, moneys, or bank notes would have been paid over~~; but,~~. However, if no owner ~~shall appear~~ appears within ~~such~~ that time, the ~~money~~ proceeds, moneys, or bank notes shall be forfeited, and the claim of the owner ~~thereto~~ is forever barred, in which event the money shall ~~remain in the county treasury for the use of the~~

Page 6

~~common schools in said county~~ be paid to the clerk of district court who shall pay the money to the

treasurer of state for distribution under section 602.9107.

Sec. . Section 666.3, Code 1983, is amended to read as follows:

666.3 FINES AND FORFEITURES. ~~All fines~~ Fines and forfeitures, after deducting ~~therefrom~~ court costs, court expenses collectible through the clerk of the court, and fees of collection, if any, and not otherwise disposed of, shall ~~go into the treasury of the county where the same are collected for the benefit of the school fund~~ be paid to the treasurer of state for distribution under section 602.9107."

12. Page 138, line 8, by inserting after the figure "66.25," the figures "127.21, 127.22,".

13. By numbering and renumbering sections and correcting internal references as necessary."

A non-record roll call was requested.

The ayes were 63, nays 30.

Amendment H—3820 was adopted.

Doderer of Johnson offered the following amendment H—3724 filed by her and moved its adoption:

H—3724

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 147, by inserting after line 12 the following:

"Sec. . FAMILY COURT PLAN. The supreme court shall report a plan to establish a family court as a division of the district court in each judicial district of the state to the general assembly by January 1, 1986. The plan shall establish the family court's jurisdiction over all domestic relations cases relating to marriage, dissolution of marriage, annulment of marriage, third party interference with marriage, separate maintenance, alimony and support of children, custody of children, neglected and dependent children, legitimation of children, adoption, paternity, juvenile delinquency, relations between parent and child, and any other matters that involve the legal relationships between members of a family unit."

2. By renumbering as necessary.

Amendment H—3724 was adopted.

Schroeder of Pottawattamie offered the following amendent H–3823 filed by him from the floor and moved its adoption:

H–3823

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 44, by inserting after line 31 the following:

"Sec. 5305. NEW SECTION. 602.5305 LIMITATION ON EXPENSES. A justice of the supreme court may choose whether to reside at the seat of government or elsewhere. The court administrator may approve actual and necessary travel expenses, incurred by a justice of the supreme court for attendance at oral arguments and judicial conferences, not to exceed the maximum amount of per diem expenses and weekly mileage expenses established for members of the general assembly under section 2.10."

2. Page 49, by striking lines 13 through 18 and inserting in lieu thereof the words "of the court of appeals for attendance at oral arguments and judicial conferences, not to exceed the maximum amount of per diem expenses and weekly mileage expenses established for members of the general assembly under section 2.10."

Roll call was requested by Schroeder of Pottawattamie and Bennett of Ida.

Rule 76 was invoked.

On the question "Shall amendment H–3823 be adopted?"

The ayes were, 48:

Anderson	Black	Branstad	Buhr
Clark	Cochran	Connors	Cooper
Copenhaver	Daggett	De Groot	Diemer
Doderer	Fey	Grandia	Halvorson, R. N.
Handorf	Hanson	Hermann	Holveck
Hummel	Knapp	Krewson	Lageschulte
Maulsby	McKean	Menke	Muhlbauer
Mullins	Oxley	Paulin	Pellett
Poncy	Renken	Royer	Schnekloth
Schroeder	Shoultz	Skow	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 50:

Arnould	Avenson	Baxter	Bennett
Blanshan	Brammer	Carl	Carpenter
Carter	Chapman	Chiodo	Connolly
Corey	Davitt	Fogarty	Gronstal
Groth	Gruhn	Hammond	Haverland
Hoffmann-Bright	Hughes	Jay	Jochum
Koenigs	Lloyd-Jones	Lonergan	McIntee
Miller	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Renaud	Rensink	Rosenberg	Running
Sherzan	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker (Groninga)		

Absent or not voting, 2:

Halvorson, R. A. Harbor

Amendment H—3823 lost.

Speaker Avenson in the chair at 10:57 a.m.

The House resumed consideration of amendment H—3660, previously deferred and found on page 1464 of the House Journal.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3660 filed by Harbor, et al.

The House stood at ease at 11:00 a.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 495 at 11:08 a.m., Speaker Avenson in the chair.

Schroeder of Pottawattamie offered the following amendment H—3824 filed by him from the floor and moved its adoption:

H—3824

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 147, by inserting after line 12, the following:

"Sec. . PUBLIC QUESTION. At the general election to be held in 1984 for the election of the

clerk of the district court, the county commissioner of elections shall submit the following public question to the voters:

"Shall the clerk of the district court continue to be elected by the county voters rather than appointed by the district judges of each judicial election district?"

If the voters of fifty or more counties vote to continue the election of the clerks of the district court, the provisions of this Act which provide for the appointment of the clerks of the district court shall be void."

Amendment H—3824 lost.

Woods of Polk offered the following amendment H—3825 filed by him and Peick of Linn from the floor and moved its adoption:

H—3825

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 11, line 13, by striking the words "and other law enforcement".

2. Page 68, by striking lines 5 through 12.

3. Page 120, line 6, by striking the words "and other law enforcement".

4. Page 136, by striking lines 21 through 27.

A non-record roll call was requested.

The ayes were 38, nays 48.

Amendment H—3825 lost.

Copenhaver of Buchanan called up for consideration the motion to reconsider amendment H—3795 filed by him on April 20, 1983 and moved to reconsider the vote by which amendment H—3795 (found on pages 1409 through 1411 of the House Journal) failed to be adopted by the House on April 19, 1983.

A non-record roll call was requested.

The ayes were 36, nays 54.

The motion to reconsider lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the motion to reconsider amendment H–3803 filed by him on April 20, 1983.

Jay of Appanoose called up for consideration the motion to reconsider the committee amendment H–3591O filed by him on April 20, 1983 and asked and received unanimous consent to reconsider the vote by which the committee amendment H–3591O (found on page 1218 of the House Journal) was adopted by the House on April 19, 1983.

The House resumed consideration of the committee amendment H–3591O.

Jay of Appanoose asked and received unanimous consent to withdraw the committee amendment H–3591O.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jochum of Dubuque, for a portion of the day, on request of Arnould of Scott.

Schroeder of Pottawattamie offered the following amendment H–3826 filed by him and Jay of Appanoose from the floor and moved its adoption:

H–3826

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 44, by inserting after line 31 the following:

"Sec. 5305. NEW SECTION. 602.5305 LIMITATION ON EXPENSES. A justice of the supreme court may choose whether to reside at the seat of government or elsewhere. The court administrator may approve necessary travel and actual expenses, incurred by a justice of the supreme court for attendance at oral arguments and judicial conferences, not to exceed the maximum amount of necessary travel and actual expenses established for members of the general assembly under section 2.10, subsection 6."

2. Page 49, by striking lines 12 through 18 and inserting in lieu thereof the words "necessary travel and actual expenses, incurred by a judge of the court

of appeals for attendance at oral arguments and judicial conferences, not to exceed the maximum amount of necessary travel and actual expenses established for members of the general assembly under section 2.10, subsection 6."

Amendment H—3826 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doderer of Johnson, until her arrival, on request of Pavich of Pottawattamie.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 495)

The ayes were, 66:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Connolly	Connors	Corey
Diemer	Fey	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. N.	Hammond
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Knapp
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Miller	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Poncy	Renaud	Rosenberg
Royer	Schnekloth	Schroeder	Sherzan
Shoultz	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 31:

Anderson	Branstad	Cochran	Cooper
Copenhaver	Daggett	Davitt	De Groot
Grandia	Gruhn	Handorf	Harbor
Hummel	Koenigs	Maulsby	McKean
Menke	Muhlbauer	Oxley	Pavich
Peick	Pellett	Renken	Rensink

Running	Skow	Stueland	Tofte
Van Camp	Van Maanen	Welden	

Absent or not voting, 3:

Doderer	Halvorson, R. A.	Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On motion by Norland of Worth, the House was recessed at 12:30 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 April 19, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 341, a bill for an act relating to the taking of fish for stocking and exchange.

Also: That the Senate has on April 14, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 359, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities.

Also: That the Senate has on April 19, 1983, 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 355, a bill for an act relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management.

Also: That the Senate has on April 19, 1983, 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 471, a bill for an act requiring the comptroller to adopt rules specifying the form and contents for invoices submitted by vendors to the state.

Also: That the Senate has on April 19, 1983, 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 493, a bill for an act relating to the motor vehicle code by providing a rebuttable presumption of residency and making other changes in the motor vehicle code.

K. MARIE THAYER, Secretary

COMMITTEE TO NOTIFY THE SENATE

Gronstal of Pottawattamie 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 Gronstal of Pottawattamie, chair; Hughes of Union and Torrence of Muscatine.

Gronstal of Pottawattamie, 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 Parliamentarian of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Parliamentarian 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 15, duly adopted, the joint convention was called to order, President Anderson presiding.

President Anderson announced a quorum present and the joint convention duly organized.

Senator Junkins of Lee 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 Deluhery of Scott, Senator Nystrom of Boone, Representative Bennett of Ida and Representative Poncy of Wapello.

The committee escorted the Pioneer Lawmakers to the well of the House chamber.

President Anderson presented Senator Charles P. Miller of Des Moines, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Anderson presented Representative John Connors, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Anderson presented the Honorable Eugene Hill who responded to the welcome. Senator Hill announced the legislators who were eligible to become members of the Pioneer Lawmakers and that William J. Petersen "Steamboat Bill," Iowa City, and the Honorable Robert L. Larson, Iowa City, were awarded honorary membership today in the Pioneer Lawmakers Association.

President Anderson then presented the Honorable Terry E. Branstad, Governor of the State of Iowa, who addressed the joint convention as follows preceding his remarks with reminiscences of previous sessions:

Mr. President, Mr. Speaker, members of the Senate and House, former Legislators, distinguished guests and ladies and gentlemen:

I last stood before you almost three months to this very day. At that time, I delivered my first budget message to this General Assembly and life hasn't been the same since. I'll assure you right now that I don't plan to mention sales tax in this address.

It is, indeed, an honor to appear before this joint assembly of past and present members of the Iowa General Assembly.

And, I am particularly pleased, that Harold Fischer invited me to address this Forty-Seventh Biennial Session of the Pioneer Lawmakers Association of Iowa. Actually, I was secretly hoping that you might induct me as a member of your association. But I understand the current legislative leaders wanted to wait until the end of the session before judging just how much I really have learned about the legislative process.

I deeply respect this institution, this legislative branch of government. I cut my teeth, so to speak, learning from personal experience about our state government as a member of the House of Representatives for six years. For four years I had the privilege as Lietenant Governor to preside over the Senate.

I understand the frustrations of the legislative process, but I also understand its genius — the genius of a representative government which in this state has for the most part been deliberative and open. The results have generally been a public policy that is responsible to the people.

I firmly believe that having served in the General Assembly will make me a better Governor. There is no place like the Iowa legislature to become familiar with the issues important to Iowans and the operations of our state government.

Thus, as a former member of the General Assembly, I join you in honoring our Pioneer Lawmakers today. Reading your names is like perusing the honor roll of decades of Iowa history. You were the molders of the Iowa we know today — a state well known for open, honest and clean government. You were the public servants who left home and family to come to Des Moines to wrestle and resolve the problems facing our state. You were the solons who built this General Assembly's generally recognized reputation as one of the best legislatures in this country. And for all of that, we thank you.

Your service is not yet complete. You still have a valuable role in Iowa government. For you can reassure current legislators that the problems we face today are not altogether new nor are they insurmountable. You coped with demands for tax relief and pleas for public assistance. You kept the Iowa budget in the black despite variable economic conditions.

You help us to realize that the most complex issues can be understood, the most difficult of compromises can be reached, and the thorniest of problems can be solved.

Most of all you give us perspective to know that we are not the first, nor will we be the last to be in this pressure-cooker of Iowa politics. We are but a part of a continuum of Iowa government, charged with making our state a little bit better by the time we leave. And for that perspective, most of all, we thank you.

There is one honorary member of your association who provided that perspective better than anyone I ever knew. For five decades he roamed these legislative halls, searching for the facts which he reported accurately and fairly to his faithful readers. He loved the process and encouraged Iowans to become involved in it. I am referring, of course, to the late Frank Nye, who passed away just a month ago. We should not leave here without pausing a few moments in honor of this man we all knew, respected and admired. (The joint convention paused for a moment in silence.)

Thank you very much. I look forward to seeing you in 1985.

Norland of Worth moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened at 2:40 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Halvorson of Clayton, for a portion of the day, on request of Stromer of Hancock.

MOTIONS TO RECONSIDER WITHDRAWN

(Senate File 356)

Swartz of Marshall asked and received unanimous consent to withdraw the motion to reconsider Senate File 356, a bill for an act creating the Iowa department of public broadcasting and prescribing its powers and duties, filed by him on April 12, 1983.

(House File 377)

O'Kane of Woodbury asked and received unanimous consent to withdraw the motion to reconsider House File 377, a bill for an act relating to the financing of public projects through bonds, warrants, special assessments, and other obligations, by amending procedures for the issuance of bonds, warrants, special assessments, and other obligations, by providing for the registration of bonds or other obligations, by authorizing interim financing of projects, and making corresponding amendments to the Code, filed by him on April 20, 1983.

(Senate File 399)

Swartz of Marshall asked and received unanimous consent to withdraw the motion to reconsider Senate File 399, a bill for an act relating to the status of the criminal and juvenile justice planning agency and its reporting procedures, filed by him on April 12, 1983.

(Senate File 435)

Swartz of Marshall asked and received unanimous consent to withdraw the motion to reconsider Senate File 435, a bill for an act regulating fees and filing requirements of business entities, filed by him on April 12, 1983.

(Senate File 221)

Swartz of Marshall asked and received unanimous consent to

withdraw the motion to reconsider Senate File 221, a bill for an act relating to treatment of animals by persons licensed or registered under chapter 162 with penalties of license or registration suspension or revocation, filed by him on April 14, 1983.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 620, 621 and 622; Senate File 495.

RULES 35 AND 40 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 35, relating to the daily debate calendar for Monday, April 25, 1983, and Rule 40 for the immediate consideration of House Files 628 and 614.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 623, a bill for an act to establish an Iowa industrial new jobs training program, was taken up for consideration.

Groninga of Cerro Gordo offered the following amendment H—3819 filed by him and moved its adoption:

H—3819

Amend House File 623 as follows:

1. Page 1, line 7, by striking the words "community college" and inserting in lieu thereof the word "school".

2. Page 1, line 10, by striking the words "community college" and inserting in lieu thereof the word "school".

3. Page 1, lines 12 and 13, by striking the words "community college" and inserting in lieu thereof the word "school".

4. Page 1, line 31, by striking the words "community college" and inserting in lieu thereof the word "school".

5. Page 1, line 35, by striking the words "community college" and inserting in lieu thereof the word "school".

6. Page 2, by striking line 1 and inserting in lieu thereof the following:

"8. "Area school" means a vocational school or a community college".

7. Page 2, line 4, by striking the words "community college" and inserting in lieu thereof the word "school".

8. Page 2, line 29, by striking the words "community college" and inserting in lieu thereof the word "school".

9. Page 2, line 31, by striking the words "community college" and inserting in lieu thereof the word "school".

10. Page 3, line 16, by inserting after the word "for" the words "up to".

11. Page 3, line 18, by striking the word "is" and inserting in lieu thereof the words "can be".

12. Page 4, line 12, by striking the words "community college" and inserting in lieu thereof the word "school".

13. Page 4, line 13, by striking the words "community college" and inserting in lieu thereof the word "school".

14. Page 4, line 15, by striking the words "community college" and inserting in lieu thereof the word "school".

15. Page 5, line 5, by striking the words "community college" and inserting in lieu thereof the word "school".

16. Page 5, line 7, by striking the words "community college" and inserting in lieu thereof the word "school".

17. Page 5, line 8, by striking the words "community college" and inserting in lieu thereof

Page 2

the word "school".

18. Page 5, line 17, by striking the words "community college" and inserting in lieu thereof the word "school".

19. Page 5, lines 18 and 19, by striking the words "community college" and inserting in lieu thereof the word "school".

20. Page 5, line 25, by striking the words "community college" and inserting in lieu thereof the word "school".

21. Page 5, line 34, by striking the words "community college" and inserting in lieu thereof the word "school".

22. Page 7, line 16, by striking the words

"community college" and inserting in lieu thereof the word "school".

23. Page 7, lines 34 and 35, by striking the words "community college" and inserting in lieu thereof the word "school".

Amendment H—3819 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3817 filed by him and Groninga of Cerro Gordo and moved its adoption:

H—3817

Amend House File 623 as follows:

1. Page 7, line 5, by inserting after the word "due." the words "No reserves may be built up in this fund in anticipation of a projected default."

Amendment H—3817 was adopted.

Groninga of Cerro Gordo offered the following amendment H—3832 filed by him from the floor and moved its adoption:

H—3832

Amend House File 623 as follows:

1. Page 7, line 32, by inserting after the word "commission" the words "in consultation with the department of public instruction and the office for planning and programming".

Amendment H—3832 was adopted.

Hanson of Delaware in the chair at 3:25 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

De Groot of Lyon, for the remainder of the day, on request of Maulsby of Calhoun.

Speaker Avenson in the chair at 3:43 p.m.

Groninga 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. 623)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

De Groot	Halvorson, R. A.	Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 623)

Norland of Worth asked and received unanimous consent to immediately message House File 623 to the Senate.

House File 628, a bill for an act relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations, expanding the duties and tenure of the county finance committee, providing for current and noncurrent debt, making coordinating amendments, and continuing certain penalties, was taken up for consideration.

Sherzan of Polk asked and received unanimous consent to withdraw amendment H–3806 filed by him and Buhr of Polk on April 20, 1983.

O'Kane of Woodbury asked and received unanimous consent to suspend Rule 20 and that Gary Meyer, Comptroller's Office, be permitted in the House chamber during consideration of House File 628.

O'Kane of Woodbury offered the following amendment H–3833 filed by him from the floor and moved its adoption:

H–3833

Amend House File 628 as follows:
1. Page 88, by inserting after line 30 the following:
"Sec. 209. Counties shall prepare budgets and adopt accounting procedures in accordance with this Act for the fiscal year beginning July 1, 1984. During the fiscal year beginning July 1, 1983, counties shall continue to follow the budgeting and accounting procedures in effect immediately prior to July 1, 1983, to the extent necessary to implement their budgets for that year, but are otherwise subject to this Act."

Amendment H–3833 was adopted.

Connors of Polk in the chair at 4:05 p.m.

Black of Jasper offered the following amendment H–3836 filed from the floor by Black, O'Kane and Cochran and moved its adoption:

H–3836

Amend House File 628 as follows:
1. Page 88, by adding after line 30, the following section:

"Sec. . LEGISLATIVE REVIEW. The county finance committee shall, on or before December 31, 1986, present to the general assembly, a detailed report regarding the effects of the provisions of this Act on county finances and administration. The report shall include but not be limited to a comparison of property tax collections since adoption of this Act with the three years prior to adoption, an analysis of the cost effects resulting from the consolidation of funds, and recommendations regarding any changes in this Act deemed necessary by the committee.

Amendment H—3836 was adopted.

Black of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 628)

The ayes were, 96:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Grandia	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 2:

Branstad	Maulsby

Absent or not voting, 2:

De Groot Groninga

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 628)

Norland of Worth asked and received unanimous consent to immediately message House File 628 to the Senate.

Appropriations Calendar

House File 614, a bill for an act to establish and fund work relief programs for unemployed Iowans during the 1983-1984 fiscal year, and appropriating funds to the office for planning and programming for the costs of the programs, was taken up for consideration.

Varn of Johnson offered the following amendment H—3835 filed by him from the floor and moved its adoption:

H—3835

Amend House File 614 as follows:

1. Page 2, lines 3 and 4, by striking the words "the highest unemployment rates" and inserting in lieu thereof the words "unemployment rates at least two percent above the statewide unemployment rate".

2. Page 2, line 14, by inserting after the word "program." the words "The office for planning and programming shall not use more than one and one-half percent of the funds appropriated under this section for administrative expenses."

3. Page 2, line 29, by inserting after the word "individuals," the words "who receive little or no unearned income and".

4. Page 2, line 32, by inserting after the word "project." the words "The jobs commission may prescribe a uniform procedure to disregard all or a portion of an unemployed individual's unearned income."

5. Page 3, by inserting after line 11 the following:

"6. Notwithstanding section 8.33, unencumbered or unobligated funds appropriated by this section for the fiscal year beginning July 1, 1983 and ending

June 30, 1984 shall not revert to the general fund of the state until June 30, 1985."

6. Page 3, line 17, by striking the words "establish and fund" and inserting in lieu thereof the words "contract with the federal action agency for the establishment and funding of".

7. Page 3, by striking line 20 and inserting in lieu thereof the following:

"1. The policy-making commission established in section 2".

8. Page 3, line 25, by inserting after the word "agency." the words "The federal action agency shall not use more than one and one-half percent of the funds appropriated under this section for administrative expenses."

9. Page 3, line 32, by striking the words "two hundred sixty" and inserting in lieu thereof the words "three hundred thirty-five".

10. Page 3, line 33, by inserting after the word "volunteers" the words "who receive little or no unearned income and".

11. Page 4, line 2, by inserting after the word "completed." the words "The commission may prescribe a uniform procedure to disregard all or a portion of an unemployed individual's unearned income."

12. Page 5, line 15, by striking the word and figure "and 97B" and inserting in lieu thereof the figures and word ", 97B, and 400".

Page 2

13. Page 5, by inserting after line 15 the following:

"4. Notwithstanding section 8.33, unencumbered or unobligated funds appropriated by this section for the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall not revert to the general fund of the state until June 30, 1985. Funds appropriated by this section may be transferred under section 8.39 to the Iowa jobs now program if the funds are not needed for the volunteers to service in Iowa program."

14. Page 5, line 16, by inserting after the figure "4." the following: "The policy-making commission established in section 2 of this Act shall cooperate with the state job training coordinating council established pursuant to the federal Job Training Partnership Act, Pub. L. No. 97-300, in the implementation of both the Iowa jobs now program and the volunteers in service to Iowa program."

Amendment H—3835 was adopted.

Varn of Johnson offered the following amendment H—3838 filed by him from the floor and moved its adoption:

H—3838

Amend House File 614 as follows:
1. Page 1, by striking lines 6 and 7, and inserting in lieu thereof the following: "ending June 30, 1984, three million one hundred thousand (3,100,000) dollars, or so much thereof as is necessary, to".

Amendment H—3838 was adopted.

Speaker Avenson in the chair at 4:25 p.m.

Varn 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. 614)

The ayes were, 67:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	McIntee	McKean	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Schroeder	Sherzan
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 30:

Anderson	Bennett	Branstad	Carl
Corey	Daggett	Grandia	Halvorson, R. A.

Handorf	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
Menke	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Stromer
Stueland	Swearingen	Torrence	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 3:

De Groot	Shoultz	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER WITHDRAWN
(Senate File 116)

Chiodo of Polk asked and received unanimous consent to withdraw the motion to reconsider Senate File 116, a bill for an act relating to the certified eligible list for promotion for city civil service, filed by him on March 9, 1983.

(Senate Concurrent Resolution 13)

Woods of Polk and Poncy of Wapello asked and received unanimous consent to withdraw the motions to reconsider Senate Concurrent Resolution 13, relating to regents' bonding for academic buildings, filed by them on April 20, 1983.

MOTIONS TO RECONSIDER
(House File 614)

I move to reconsider the vote by which House File 614 passed the House on April 21, 1983.

VARN of Johnson

(House File 614)

I move to reconsider the vote by which House File 614 passed the House on April 21, 1983.

HANSON of Delaware

(House File 614)

I move to reconsider the vote by which House File 614 passed the House on April 21, 1983.

SCHROEDER of Pottawattamie

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 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 527, a bill for an act relating to the impact of state legislative and administrative actions by requiring fiscal notes on bills, joint resolutions, and administrative rules, by providing for the payment of interest on unpaid claims against the state treasury, by requiring notice of proposed rules, and providing for periodic review of existing administrative rules.

K. MARIE THAYER, Secretary

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 21, 1983, he approved and transmitted to the Secretary of State the following bill:

Senate File 188, an act relating to the birth defects institute within the State Department of Health.

PRESENTATION OF VISITORS

Mullins of Kossuth presented to the House the Honorable Karl Kiilsholm, former member of the House, representing Kossuth County.

Norland of Worth presented to the House the Honorable Harold Mueller, former member of the House, representing Worth County.

Carter of Henry presented to the House the Honorable Charles Strothman, former member of the House, representing Henry County.

McKean of Jones presented to the House the Honorable Frank Shimanek, former member of the House, representing Jones County.

The Speaker announced that the following visitors were present in the House chamber:

Fourteen government students from Monticello High School, Monticello, accompanied by Keith Stamp. By McKean of Jones.

Forty-eight fifth grade Camp Fire Girls, Cedar Rapids, accompanied by Mrs. Barb Taylor and Mrs. Sue Fisk. By Peick, Osterberg, Oxley, Running, all of Linn and McKean of Jones.

Twenty eighth grade students from Halbur-Templeton-Roselle Parochial School, Templeton, accompanied by Lillian Schouten and Duane Siepker. By Anderson of Audubon.

Forty sixth and eighth grade students from Sentral Junior-Senior High School, Fenton, accompanied by Karl Kiilsholm. By Branstad of Winnebago.

Forty-five fifth grade students from Douglas Elementary, Des Moines, accompanied by Karen Bush. By Renaud of Polk.

Forty-four fifth grade students from Lincoln Community Elementary School, Mechanicsville, accompanied by Gladys Rife and Ruth Miller. By Osterberg of Linn.

Forty-one eighth grade students from West Harrison Community School, Pisgah, accompanied by Darlene Hime, Ron Ullerich, Larry White and LeRoy Clark. By Schroeder of Pottawattamie.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 336 Finance

To provide for the establishment of a corporation by the Iowa development commission which will organize and manage an investment fund which will invest in Iowa enterprises and to provide for a state income tax credit on the net investment in the fund.

SUBCOMMITTEE ASSIGNMENTS

House File 620

Finance: Doderer, Chair; Halvorson of Webster and Hanson.

House File 621

Finance: Doderer, Chair; Halvorson of Webster and Hanson.

House File 622

Finance: Doderer, Chair; Halvorson of Webster and Hanson.

House File 623

Finance: Doderer, Chair; Halvorson of Webster and Krewson.

House File 624

Finance: Connolly, Chair; Halvorson of Webster and Hummel.

House File 625

Finance: Connolly, Chair; Arnould and Krewson.

House File 626

Finance: Doderer, Chair; Chiodo and Hanson.

House File 627

Finance: Halvorson of Webster, Chair; Jochum and Krewson.

House File 628

Finance: Halvorson of Webster, Chair; Halvorson of Clayton and Norland.

House File 630

Finance: Halvorson of Webster, Chair; Doderer and Krewson.

House File 631

Finance: Chiodo, Chair; Connolly and Halvorson of Clayton.

STUDY BILL SUBCOMMITTEE ASSIGNMENT

Study Bill 336

Finance: Chiodo, Chair; Arnould and Branstad.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 20, 1983.

AMENDMENTS FILED

H–3827	H.F. 359	Senate Amendment
H–3828	H.F. 341	Senate Amendment
H–3829	S.F. 471	Senate Amendment
H–3830	S.F. 493	Senate Amendment
H–3831	S.F. 355	Senate Amendment
H–3837	H.F. 176	Halvorson of Webster Chiodo of Polk Harbor of Mills Chapman of Linn
H–3839	S.F. 503	Knapp of Dubuque
H–3840	S.F. 370	Hummel of Benton

On motion by Norland of Worth, the House adjourned at 5:25 p.m., until 10:00 a.m., Monday, April 25, 1983.

JOURNAL OF THE HOUSE

One Hundred Sixth Calendar Day—Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 25, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable Ward Handorf, state representative from Marshall County.

The Journal of Thursday, April 21, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Paul Searles, Manchester.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Branstad of Winnebago, from three hundred forty-six constituents of the 16th District.

By Fogarty of Palo Alto, from thirty-four constituents.

By Groninga of Cerro Gordo, from two hundred twenty constituents.

By Hughes of Union, from fifty-five constituents.

By Koenigs of Mitchell, from fifty-five constituents of the 30th District.

By Menke of O'Brien, from fifty-five constituents of the 7th District.

By Running of Linn, from fifty-five constituents.

By Tofte of Winneshiek, from eighty-seven constituents of the 31st District.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schnekloth of Scott on request of Bennett of Ida; Carter of Henry, until his arrival, on request of Koenigs of Mitchell; Royer of Page on request of Stromer of Hancock.

INTRODUCTION OF BILL

House File 632, by committee on appropriations, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Read first time and referred to committee on **finance.**

SENATE MESSAGE CONSIDERED

Senate File 527, by committee on finance, a bill for an act relating to the impact of state legislative and administrative actions by requiring fiscal notes on bills, joint resolutions, and administrative rules, by providing for the payment of interest on unpaid claims against the state treasury, by requiring notice of proposed rules.

Read first time and referred to committee on **finance.**

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, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 514, a bill for an act amending the Iowa uniform securities Act, and providing a civil penalty.

Also: That the Senate has on April 21, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 10, a bill for an act relating to compensation for solemnizing a marriage.

Also: That the Senate has on April 21, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 511, a bill for an act relating to construction near a buried electric transmission line.

K. MARIE THAYER, Secretary

MOTION TO RECONSIDER PREVAILED
(House File 176)

Halvorson of Webster called up for consideration the motion to reconsider House File 176, filed on April 20, 1983, and moved to reconsider the vote by which House File 176, a bill for an act providing that a political party or candidate committee or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with another qualified organization to conduct the games of skill, games of chance, or raffles, passed the House and was placed on its last reading on April 20, 1983.

A non-record roll call was requested.

The ayes were 67, nays 10.

The motion prevailed and the House reconsidered House File 176.

Halvorson of Webster called up for consideration his motion to reconsider the Senate amendment H—3774 filed by him on April 20, 1983 and moved to reconsider the vote by which the House concurred in the Senate amendment on April 20, 1983, which motion prevailed.

Halvorson of Webster offered the following amendment H—3837, to the Senate amendment H—3774, filed by Halvorson, et. al., and moved its adoption:

H—3837

Amend the Senate amendment H—3774, to House File 176 as amended, passed, and reprinted by the House, as follows:

1. Page 1, by striking lines 3 and 4.
2. By renumbering as necessary.

Amendment H—3837 was adopted.

On motion by Halvorson of Webster, the House concurred in the Senate amendment H—3774, as amended.

Halvorson of Webster moved that the bill, as amended by the Senate, further amended and concurred 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. 176)

The ayes were, 76:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hermann	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Strömer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Van Camp	Van Gerpen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 20:

Anderson	Bennett	Branstad	Clark
Corey	Daggett	De Groot	Grandia
Handorf	Hoffmann-Bright	Hummel	Maulsby
McKean	Menke	Paulin	Pellett
Renken	Rensink	Torrence	Van Maanen

Absent or not voting, 4:

Carter	Haverland	Royer	Schnekloth

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 626, a bill for an act relating to penalties for violations of the motor fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws, was taken up for consideration.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 626)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Carter	Royer	Schnekloth

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

The House resumed consideration of **Senate File 161**, a bill for an act to allow a person who is an instructor at a proprietary school of a profession regulated under chapter 147 to serve on the examining board of that profession, deferred and placed on the unfinished business calendar on April 14, 1983.

Buhr 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. 161)

The ayes were, 49:

Arnould	Buhr	Carl	Carpenter
Chapman	Cochran	Connolly	Cooper
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Hammond	Hanson	Haverland	Holveck
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	McIntee	McKean	Mullins
Norland	O'Kane	Osterberg	Parker
Pavich	Peick	Renaud	Rosenberg
Schroeder	Sherzan	Shoultz	Spear
Stromer	Swearingen	Tabor	Tofte
Torrence	Van Camp	Varn	Zimmerman
Mr. Speaker			

The nays were, 48:

Anderson	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Chiodo
Clark	Connors	Copenhaver	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Halvorson, R. N.	Handorf	Harbor
Hermann	Hoffmann-Bright	Hughes	Hummel
Jay	Lageschulte	Lonergan	Maulsby
Menke	Miller	Muhlbauer	Ollie
Oxley	Paulin	Pellett	Poncy
Renken	Rensink	Running	Skow
Stueland	Sturgeon	Sullivan	Swartz
Van Gerpen	Van Maanen	Welden	Woods

Absent or not voting, 3:

Carter	Royer	Schnekloth

The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

Appropriations Calendar

House File 627, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code, was taken up for consideration.

Connors of Polk in the chair at 11:00 a.m.

Osterberg of Linn offered the following amendment H–3841 filed by Osterberg, Krewson and Haverland from the floor and moved its adoption:

H–3841

Amend House File 627 as follows:

1. Page 1, line 14, by inserting before the word "For" the letter "a."

2. Page 1, by inserting after line 17 the following:

"b. For grants for the Iowa art works project provided in sections 2 through 4 of this Act ..... $90,000".

3. Page 2, by inserting after line 17 the following:

"Sec. 2. GRANT AMOUNTS.

1. Funds appropriated by section 1, subection 2, paragraph b, of this Act shall be used to make grants to eligible Iowa artists for projects as follows:

a. An individual artist may receive a cash grant not to exceed five thousand dollars for a project determined to be in the public good including but not limited to touring performances and exhibitions, concerts for hospitals or nursing home residents, school concerts, participation in art festivals, fairs, and conventions, paintings, drawings, or sculpture for state buildings, photographic documentation of life in Iowa, public murals, training seminars for students, poetry readings, publications, school residencies, or other projects which are open to the public. A grantee may request an additional stipend not to exceed ten percent of the grant to be used for materials and transportation costs. A

grant may be made to an individual artist for a project involving a group of artists. Only the individual artist submitting the application must qualify under section 3 of this Act.

b. An eligible organization may apply for a grant not to exceed five thousand dollars to match an equal amount to be used to hire, for up to one year, an artist-in-residence or arts administrator. Artists hired must meet the eligibility requirements of section 3 of this Act.

2. Applications for a grant may be submitted to the Iowa arts council or to any job service office in the state. Applications shall be reviewed monthly by an advisory committee appointed under section 304A.6, subsection 4. The advisory committee shall submit recommendations to the council regarding possible recipients and the grant amount.

Sec. 3. ELIGIBILITY. An individual must be an Iowa resident and must have been unemployed or had a combined adjusted gross income for federal income

Page 2

tax purposes for the individual and the individual's spouse of less than ten thousand dollars during the twelve months prior to making application. An organization must be incorporated under chapter 504A.

Sec. 4. CONDITIONS. The Iowa arts council shall require all grantees to sign a contract and to report to the council within forty-five days following completion of the project. Works produced by a person receiving an individual grant are the property of the state in care of the Iowa arts council. Works produced by a person hired by an organization receiving a grant are the property of the organization."

4. By renumbering the sections and correcting internal references to conform with this amendment.

Roll call was requested by Lageschulte of Bremer and Osterberg of Linn.

On the question "Shall amendment H—3841 be adopted?"

The ayes were, 39:

Arnould	Avenson	Baxter	Brammer
Carpenter	Carter	Chapman	Chiodo
Clark	Daggett	Doderer	Fey
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Haverland	Hoffmann-Bright

Holveck	Hughes	Hummel	Jay
Koenigs	Krewson	Lloyd-Jones	Lonergan
McIntee	McKean	Mullins	Osterberg
Rosenberg	Running	Swearingen	Van Gerpen
Varn	Zimmerman	Mr. Speaker (Connors)	

The nays were, 59:

Anderson	Bennett	Black	Blanshan
Branstad	Buhr	Carl	Cochran
Connolly	Cooper	Copenhaver	Corey
Davitt	De Groot	Diemer	Fogarty
Grandia	Gronstal	Groth	Handorf
Harbor	Hermann	Jochum	Knapp
Lageschulte	Maulsby	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Tofte	Torrence	Van Camp
Van Maanen	Welden	Woods	

Absent or not voting, 2:

Royer	Schnekloth

Amendment H—3841 lost.

Krewson of Polk offered the following amendment H—3807 filed by him and Hanson of Delaware and moved its adoption:

H—3807

Amend House File 627 as follows:

1. Page 1, by striking lines 13 through 17, and inserting in lieu thereof the following:

"2. IOWA STATE ARTS COUNCIL

For salaries, support, maintenance, and miscellaneous purposes including funds to match federal grants .....479,706".

Roll call was requested by Baxter of Des Moines and Hammond of Story.

On the question "Shall amendment H—3807 be adopted?"

The ayes were, 45:

Anderson	Avenson	Baxter	Bennett
Brammer	Buhr	Carpenter	Carter
Chapman	Chiodo	Clark	Daggett
Doderer	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Hermann
Hoffmann-Bright	Holveck	Hummel	Jay
Krewson	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Mullins	Osterberg
Paulin	Renaud	Rensink	Rosenberg
Running	Schroeder	Spear	Swartz
Swearingen	Tofte	Van Gerpen	Zimmerman
Mr. Speaker (Connors)			

The nays were, 53:

Arnould	Black	Blanshan	Branstad
Carl	Cochran	Connolly	Cooper
Copenhaver	Corey	Davitt	De Groot
Diemer	Fey	Fogarty	Grandia
Gronstal	Groth	Handorf	Harbor
Haverland	Hughes	Jochum	Knapp
Koenigs	Lageschulte	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie
Oxley	Parker	Pavich	Peick
Pellett	Poncy	Renken	Sherzan
Shoultz	Skow	Stromer	Stueland
Sturgeon	Sullivan	Tabor	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods			

Absent or not voting, 2:

Royer	Schnekloth

Amendment H—3807 lost.

(House File 627 pending at recess.)

On motion by Norland of Worth, the House was recessed at 12:03 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

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.

The House stood at ease at 2:42 p.m., until the fall of the gavel.

The House resumed session at 3:50 p.m., Speaker Avenson in the chair.

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 627**, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code, pending at recess.

Halvorson of Clayton offered the following amendment H–3814 filed by him and moved its adoption:

H–3814

Amend House File 627 as follows:
1. Page 3, by striking line 19 and inserting in lieu thereof the following:
"poses ..... $ 5,102,511
Of the funds appropriated under this subsection, forty-three thousand four hundred sixty (43,460) dollars shall be used for the employment of a risk manager as provided in sections 18.162 and 18.163."

A non-record roll call was requested.

The ayes were 38, nays 59.

Amendment H–3814 lost.

Halvorson of Webster offered the following amendment H–3844 filed from the floor by Halvorson of Webster, Jay, Clark, Connors, Carpenter, Rosenberg, Krewson, Running, Peick, Chapman and Brammer:

H—3844

Amend House File 627 as follows:

1. Page 8, line 16, by striking the word "For" and inserting in lieu thereof the word "a. For".

2. Page 8, by inserting after line 20 the following:

"b. For the payment of grants to existing dispute resolution programs and not to exceed four thousand (4,000) dollars for adminstrative expenses of the court administrator $150,000

Except for administrative expenses, the funds appropriated under paragraph b shall be used for grants to continue or improve dispute resolution programs funded pursuant to Acts of the Sixty-ninth General Assembly, 1982 Session, chapter 1260, section 84. A program administrator awarded funding for a dispute resolution program by the court administrator of the judicial department for the fiscal year beginning July 1, 1982, may submit an application to the court administrator for funding for the fiscal year beginning July 1, 1983, on forms prescribed and furnished by the court administrator. The court administrator with the advice of the judicial coordinating committee established by the supreme court shall allocate the funds to the dispute resolution programs that provide nonjudicial resolution of disputes at the community or county level. At least twenty-five percent of the amount budgeted for the annual operation of an existing dispute resolution program or that portion of a dispute resolution program which is improved or expanded shall be obtained from sources other than the grant provided under this paragraph b."

Knapp of Dubuque in the chair at 4:22 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cochran of Webster, for the remainder of the day, on request of Davitt of Warren.

Halvorson of Webster moved the adoption of amendment H—3844.

Roll call was requested by Bennett of Ida and Skow of Guthrie.

On the question "Shall amendment H—3844 be adopted?"

The ayes were, 69:

Anderson	Avenson	Baxter	Bennett
Brammer	Branstad	Buhr	Carpenter
Carter	Chapman	Clark	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hoffmann-Bright	Holveck
Hughes	Jay	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Miller	Mullins	Norland
Ollie	Osterberg	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schroeder
Sherzan	Stromer	Stueland	Sullivan
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	Woods
Zimmerman			

The nays were, 26:

Arnould	Black	Blanshan	Carl
Chiodo	Connolly	Copenhaver	Davitt
Gronstal	Groth	Hermann	Hummel
Jochum	Koenigs	Muhlbauer	Oxley
Parker	Pavich	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Mr. Speaker (Knapp)		

Absent or not voting, 5:

Cochran	Menke	O'Kane	Royer
Schnekloth			

Amendment H—3844 was adopted.

Norland of Worth asked and received unanimous consent that House File 627 be temporarily deferred and that the bill retain its place on the calendar.

Speaker Avenson in the chair at 4:42 p.m.

SENATE AMENDMENT CONSIDERED

Diemer of Black Hawk called up for consideration **House File 341,** a bill for an act relating to the taking of fish for stocking and exchange, amended by the Senate and moved that the House concur in the following Senate amendment H–3828:

H–3828

Amend House File 341 as passed by the House as follows:

1. Page 1, by inserting after line 8 the following:

"Sec. . Section 109.107, unnumbered paragraph 4, Code 1983, is amended by striking the unnumbered paragraph.

Sec. . Section 109.113, Code 1983, is amended to read as follows:

109.113 SIZE LIMITS. ~~It shall be lawful for any person to take or catch, with commercial fishing gear, any catfish not less than thirteen inches long~~ The conservation commission shall promulgate rules determining the size limit for any person to take or catch catfish with commercial fishing gear. However, a length limitation promulgated under this section does not prohibit the commission or director from lawfully taking catfish under section 109.16."

A non-record roll call was requested.

The ayes were 62, nays 11.

The motion prevailed and the House concurred in the Senate amendment H–3828.

Diemer of Black Hawk 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 76 was invoked.

On the question "Shall the bill pass?" (H.F. 341)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad

Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Skow
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Hoffmann-Bright	Spear	Tabor

Absent or not voting, 6:

Cochran	Harbor	Menke	Royer
Schnekloth	Stromer		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

The House resumed consideration of **House File 627**, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code, previously deferred.

Haverland of Polk offered the following amendment H–3852 filed from the floor by Haverland, Krewson and Osterberg and moved its adoption:

H–3852

Amend House File 627 as follows:

1. Page 1, line 14, by inserting before the word "For" the letter "a."

2. Page 1, by inserting after line 17 the following:

"b. For grants for the Iowa art works project provided in sections 2 through 4 of this Act ..... $60,000".

3. Page 2, by inserting after line 17 the following:

"Sec. 2. GRANT AMOUNTS.

1. Funds appropriated by section 1, subection 2, paragraph b, of this Act shall be used to make grants to eligible Iowa artists for projects as follows:

a. An individual artist may receive a cash grant not to exceed three thousand dollars for a project determined to be in the public good including but not limited to touring performances and exhibitions, concerts for hospitals or nursing home residents, school concerts, participation in art festivals, fairs, and conventions, paintings, drawings, or sculpture for state buildings, photographic documentation of life in Iowa, public murals, training seminars for students, poetry readings, publications, school residencies, or other projects which are open to the public. A grantee may request an additional stipend not to exceed ten percent of the grant to be used for materials and transportation costs. A grant may be made to an individual artist for a project involving a group of artists. Only the individual artist submitting the application must qualify under section 3 of this Act.

b. An eligible organization may apply for a grant not to exceed three thousand dollars to match an equal amount to be used to hire, for up to one year, an artist-in-residence or arts administrator. Artists hired must meet the eligibility requirements of section 3 of this Act.

2. Applications for a grant may be submitted to the Iowa arts council or to any job service office in the state. Applications shall be reviewed monthly by an advisory committee appointed under section 304A.6, subsection 4. The advisory committee shall submit recommendations to the council regarding possible recipients and the grant amount.

Sec. 3. ELIGIBILITY. An individual must be an Iowa resident and must have been unemployed or had a combined adjusted gross income for federal income

Page 2

tax purposes for the individual and the individual's spouse of less than ten thousand dollars during the twelve months prior to making application. An organization must be incorporated under chapter 504A.

Sec. 4. CONDITIONS. The Iowa arts council shall require all grantees to sign a contract and to report to the council within forty-five days following completion of the project. Works produced by a person receiving an individual grant are the property of the state in care of the Iowa arts council. Works produced by a person hired by an organization receiving a grant are the property of the organization."

4. By renumbering the sections and correcting internal references to conform with this amendment.

Roll call was requested by Skow of Guthrie and Black of Jasper.

Rule 76 was invoked.

On the question "Shall amendment H—3852 be adopted?"

The ayes were, 58:

Anderson	Arnould	Baxter	Bennett
Brammer	Branstad	Carpenter	Carter
Chapman	Chiodo	Clark	Connors
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Grandia	Groninga
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Mullins
Osterberg	Paulin	Pellett	Renken
Rensink	Rosenberg	Running	Stueland
Sturgeon	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Zimmerman	Mr. Speaker		

The nays were, 36

Black	Blanshan	Buhr	Carl
Connolly	Cooper	Copenhaver	Davitt
Fogarty	Gronstal	Groth	Jochum
Knapp	Koenigs	Maulsby	Miller
Muhlbauer	Norland	O'Kane	Ollie
Oxley	Parker	Pavich	Peick

Poncy	Renaud	Schroeder	Sherzan
Shoultz	Skow	Spear	Sullivan
Swartz	Tabor	Welden	Woods

Absent or not voting, 6:

Cochran	Harbor	Menke	Royer
Schnekloth	Stromer		

Amendment H—3852 was adopted.

Lageschulte of Bremer offered the following amendment H—3853 filed by him from the floor and moved its adoption:

H—3853

Amend House File 627 as follows:

1. Page 9, line 26, by striking the figure "$1,130,808" and inserting in lieu thereof the figure "$1,140,808".

2. Page 9, line 28, by striking the words "dollar amount" and inserting in lieu thereof the words "percentage of the total appropriation".

Roll call was requested by Lageschulte of Bremer and Handorf of Marshall.

On the question "Shall amendment H—3853 be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Cooper	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Hermann	Hoffmann-Bright	Holveck
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Mullins	Paulin
Peick	Pellett	Poncy	Renken
Rensink	Running	Schroeder	Spear
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Woods

The nays were, 51:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Connolly	Connors
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth

Gruhn	Halvorson, R. N.	Haverland	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Renaud
Rosenberg	Sherzan	Shoultz	Skow
Sturgeon	Sullivan	Swartz	Tabor
Varn	Zimmerman	Mr. Speaker	

Absent or not voting, 9:

Cochran	Corey	Hammond	Harbor
Menke	Royer	Schnekloth	Stromer
Welden			

Amendment H—3853 lost.

Baxter 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. 627)

The ayes were, 82:

Anderson	Arnould	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Connolly	Connors	Copenhaver
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 12:

Bennett	Branstad	Cooper	Corey

De Groot	Grandia	Maulsby	Paulin
Renken	Skow	Tofte	Welden

Absent or not voting, 6:

Cochran	Harbor	Menke	Royer
Schnekloth	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 627)

Norland of Worth asked and received unanimous consent that House File 627 be immediately messaged to the Senate.

REREFERRED TO COMMITTEE

Norland of Worth asked and received unanimous consent to rerefer the following bills from the regular calendar to the committees listed:

S.F. 412 Human Resources
S.F. 159 Local Government
S.F. 345 Human Resources
S.F. 432 Judiciary and Law Enforcement

SENATE AMENDMENTS CONSIDERED

Halvorson of Webster called up for consideration **Senate File 177**, a bill for an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H–3785 to the House amendment:

H–3785

Amend the House amendment S–3228 to Senate File 177 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 17, by striking the word "area." and inserting in lieu thereof the following: "area when that area is any one of the following:

(1) Land located outside the corporate limits

of a city.

(2) Agricultural land within the corporate limits of a city.

(3) Nonagricultural land within the corporate limits of a city when the pipeline facility is operated at a pressure in excess of one hundred fifty pounds per square inch.

As used in this paragraph agricultural land means land of one or more acres suitable for cultivation for the production of crops, fruit or other horticultural purposes or for the grazing or production of livestock."

The motion prevailed and the House concurred in the Senate amendment H—3785 to the House amendment.

Halvorson of Webster 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. 177)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Cochran	Harbor	Menke	Royer
Schnekloth	Stromer		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Swartz of Marshall called up for consideration **Senate File 471**, a bill for an act requiring the comptroller to adopt rules specifying the form and contents for invoices submitted by vendors to the state, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H–3829 to the House amendment:

H–3829

Amend House amendment S–3589, to Senate File 471 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 4, by inserting after the word "assembly," the words "and the courts".

2. Page 1, line 6, by inserting after the word "assembly," the words "or the courts".

The motion prevailed and the House concurred in the Senate amendment H–3829 to the House amendment.

Swartz of Marshall 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. 471)

The ayes were, 90:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.

Halvorson, R. N.	Handorf	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Pellett
Poncy	Renaud	Rensink	Rosenberg
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

De Groot	Hammond	Paulin	Renken

Absent or not voting, 6:

Cochran	Harbor	Menke	Royer
Schnekloth	Stromer		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Miller of Woodbury called up for consideration **Senate File 493**, a bill for an act relating to the motor vehicle code by providing a rebuttable presumption of residency, by increasing the penalty for improper use of a registration card, registration plate, special plate, or permit, by requiring a motor vehicle overtaking another vehicle on the left to return to the right-hand portion of the roadway before coming within three hundred feet of an approaching vehicle, by clarifying certain language and eliminating certain inconsistent language in the motor vehicle code, by increasing the ability of an officer to issue a uniform citation and complaint, and providing a penalty, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H–3830 to the House amendment:

H–3830

1 Amend the House amendment, S–3588, to Senate File
2 493 as amended, passed, and reprinted by the Senate

as follows:

1. Page 1, by striking lines 11 through 25, and inserting in lieu thereof the following:

"2. A person shall not operate on the highway a motor vehicle equipped with a front windshield, a side window to the immediate right or left of the driver, or a side wing forward of and to the left or right of the driver which is excessively dark or reflective so that it is difficult for a person outside the motor vehicle to see into the motor vehicle through the windshield, window, or side wing. The department shall adopt rules establishing a minimum measurable standard of transparency which shall apply to violations of this subsection."

2. Page 1, by inserting after line 29 the following:

"Sec. . Section 805.8, subsection 2, paragraph c, Code 1983, is amended to read as follows:

c. For improperly used or nonused, or defective or improper equipment, other than brakes, driving lights and brakelights, under sections 321.317, 321.387, 321.388, 321.389, 321.390, 321.391, 321.392, 321.393, 321.422, 321.432, 321.436, 321.437, 321.438, subsection 1 or 3, 321.439, 321.440, 321.441, 321.442, 321.444, 321.445 and 321.447, the scheduled fine is ten dollars.

Sec. . Section 805.8, subsection 2, Code 1983, is amended by adding the following new paragraph following paragraph c and by relettering the following paragraphs:

NEW PARAGRAPH. d. For improper equipment under section 321.438, subsection 2, the scheduled fine is fifteen dollars."

3. By renumbering sections as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3830 to the House amendment.

Miller of Woodbury 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. 493)

The ayes were, 88:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad

Buhr	Carl	Carpenter	Chapman
Chiodo	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 4:

Carter	Clark	Hummel	Sullivan

Absent or not voting, 8:

Cochran	Gruhn	Harbor	Krewson
Menke	Royer	Schnekloth	Stromer

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 161)

I move to reconsider the vote by which Senate File 161 failed to pass the House on April 25, 1983.

HOFFMANN-BRIGHT of Muscatine
HARBOR of Mills

(Senate File 161)

I move to reconsider the vote by which Senate File 161 failed to pass the House on April 25, 1983.

SWARTZ of Marshall

HOUSE RESOLUTION 8
By Swartz

Whereas, several members of the general assembly have introduced legislation to change provisions of the state's laws relating to elections; and

Whereas, the secretary of state has also recommended several changes in the election laws; *Now Therefore*,

Be It Resolved by the House of Representatives, That the legislative council is requested to authorize a joint subcommittee of the house and senate committees on state government to examine the laws governing the elections of the state and its political subdivisions and to submit its recommendations to the legislative council during the 1983 legislative interim.

Laid over under Rule 25.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 22, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 172, an act to eliminate the requirement that vehicles used by licensed grain dealers carry a special identification plate.

Senate File 358, an act relating to the release of defendants and conditions required for bail.

Senate File 369, an act to authorize the director of revenue to provide state tax returns and return information to the auditor of state for auditing purposes.

Senate File 433, an act relating to the rule against perpetuities.

Senate File 478, an act relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction.

Senate File 509, an act relating to the collection of the Iowa corn and soybeans assessment at the time corn and soybeans are pledged to secure a loan extended under a federal price support loan program.

Also: That on April 25, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 88, an act relating to the amount of land owned by a merged area.

Senate File 119, an act relating to the shared use of facilities by public agencies.

Senate File 267, an act relating to the rule-making authority of the water, air and waste management commission and providing an effective date.

Senate File 434, an act relating to funds deposited by city utilities and combined utility systems and regional libraries, and providing an effective date upon publication,

Senate File 453, an act relating to the staggered registration of vehicles.

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 the 22nd day of April, 1983: House Files 196, 201, 533, 577 and 587.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday afternoon, March 21, 1983. Had I been present, I would have voted "aye" on House Files 623 and 628 and "nay" on House File 614.

DE GROOT of Lyon

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-four sixth grade students from Lake View Elementary School, Lake View, accompanied by Mr. McGivern and Mrs. Roberts. By Maulsby of Calhoun.

Fifty fourth grade students from Webster Elementary School, Perry, accompanied by Sue Leslie and Jackie Landon. By Zimmerman of Dallas.

Twenty-five fifth grade students from Cambridge Elementary School, Cambridge, accompanied by Joanne Larson. By Rosenberg of Story.

Ten students from Adams Elementary School, Des Moines, accompanied by Fran Proctor. By Renaud of Polk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 337 Ways and Means

Relating to the direct deposits of revenue and special assessments collected by the county treasurer.

S.B. 338 Ways and Means

Relating to penalties for violations of the motor fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 624, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

Fiscal Note is required.

Recommended **Do Pass** April 25, 1983.

House File 630, a bill for an act relating to the refund of prorate registration fees.

Fiscal Note is not required.

Recommended **Do Pass** April 25, 1983.

House File 631, a bill for an act relating to property tax exemptions in an urban revitalization area.

Fiscal Note is not required.

Recommended **Do Pass** April 25, 1983.

Committee Bill, (Formerly Study Bill 336), to provide for the establishment of a corporation by the Iowa development commission which will organize and manage an investment fund which will invest in Iowa enterprises and to provide for a state income tax credit on the net investment in the fund.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 25, 1983.

AMENDMENTS FILED

H—3842	S.F.	503	Spear of Lee
H—3843	H.F.	514	Senate Amendment
H—3845	S.F.	503	Schroeder of Pottawattamie Jay of Appanoose
H—3846	H.F.	624	Torrence of Muscatine
H—3847	H.F.	624	Varn of Johnson
H—3848	S.F.	420	Schroeder of Pottawattamie
H—3849	S.F.	527	Schroeder of Pottawattamie
H—3850	H.F.	624	Osterberg of Linn Shoultz of Black Hawk Hammond of Story Rosenberg of Story Sherzan of Polk Clark of Cerro Gordo McIntee of Black Hawk Arnould of Scott Black of Jasper Buhr of Polk Jochum of Dubuque Jay of Appanoose Cochran of Webster O'Kane of Woodbury Davitt of Warren Carter of Henry Hanson of Delaware Mullins of Kossuth Varn of Johnson
			Connolly of Dubuque Ollie of Clinton Van Camp of Scott Parker of Jasper Mullins of Kossuth Groninga of Cerro Gordo Varn of Johnson Halvorson of Webster Chapman of Linn Groth of Buena Vista Branstad of Winnebago Peick of Linn Lloyd-Jones of Johnson Gronstal of Pottawattamie Schroeder of Pottawattamie
H—3851	H.F.	614	

			Connolly of Dubuque
			Carpenter of Polk
			Sturgeon of Woodbury
H–3854	H.F.	624	Doderer of Johnson
			Halvorson of Clayton
H–3855	H.F.	614	Hanson of Delaware
			Varn of Johnson
H–3856	H.F.	614	Varn of Johnson
			Hoffmann-Bright of Muscatine
			Hanson of Delaware
H–3857	H.F.	624	Halvorson of Clayton
Doderer of Johnson			McKean of Jones
Harbor of Mills			Hummel of Benton
McIntee of Black Hawk			Connolly of Dubuque
Tofte of Winneshiek			Knapp of Dubuque
H–3858	H.F.	624	Doderer of Johnson
			Halvorson of Clayton
			Connolly of Dubuque
			Oxley of Linn
			Carpenter of Polk
			Pavich of Pottawattamie

On motion by Norland of Worth, the House adjourned at 5:44 p.m., until 9:00 a.m., Tuesday, April 26, 1983.

JOURNAL OF THE HOUSE

One Hundred Seventh Calendar Day—Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 26, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Chester Davis, pastor of the First United Methodist Church, Toledo.

The Journal of Monday, April 25, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William Steinbeck, Keystone.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Royer of Page, for an indefinite period, on request of Harbor of Mills; Lonergan of Boone, until her arrival, on request of Arnould of Scott.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Anderson of Audubon, from one hundred thirteen constituents.

By Blanshan of Greene, from one hundred ten constituents of the 88th District.

By Buhr of Polk, from thirty-nine citizens.

By Grandia of Marion, from eighty-nine constituents of the 69th District.

By Hermann of Scott, from ninety-nine constituents.

By Hoffmann-Bright of Muscatine, from one hundred fourteen constituents.

By Lonergan of Boone, from fifty-five residents of the 87th District.

By Maulsby of Calhoun, from fifty-six constituents.

By Menke of O'Brien, from forty residents of the 7th District.

By Ollie of Clinton, from one hundred ninety constituents.

By Stueland of Clinton, from eighteen constituents.

By Swearingen of Keokuk, from fifty-eight constituents of the 63rd District.

By Van Camp of Scott, from one hundred three constituents.

SENATE MESSAGE CONSIDERED

Senate File 511, by committee on agriculture, a bill for an act relating to construction near a buried electric transmission line.

Read first time and referred to committee on **agriculture.**

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 22, 1983, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 496, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties.

K. MARIE THAYER, Secretary

MOTION TO RECONSIDER PREVAILED
(House File 614)

Varn of Johnson called up for consideration the motion to recon-

sider House File 614, filed on April 21, 1983, and moved to reconsider the vote by which House File 614, a bill for an act to establish and fund work relief programs for unemployed Iowans during the 1983-1984 fiscal year, and appropriating funds to the office for planning and programming for the costs of the programs, passed the House and was placed on its last reading on April 21, 1983.

A non-record roll call was requested.

The ayes were 63, nays 2.

The motion prevailed and the House reconsidered House File 614, placing out of order the motions to reconsider filed by Hanson of Delaware and Schroeder of Pottawattamie on April 21, 1983.

Varn of Johnson offered the following amendment H—3856 filed by Varn, et al., and moved its adoption:

H—3856

Amend House File 614 as follows:
1. Page 1, by striking lines 13 through 17 and inserting in lieu thereof the following: "now program. The commission shall consist of five public members, not more than two from the same political party, appointed by the governor subject to confirmation by the senate under section 2.32, and one senator, to serve as an ex officio nonvoting member, appointed by the president of the senate, and one representative, to serve as an ex officio nonvoting member, appointed by the speaker of the house of representatives. Notwithstanding section 69.19, the commission members' terms of office shall begin as soon as all members are appointed and shall expire on June 30, 1985. Members of the commission".

Amendment H—3856 was adopted.

Hanson of Delaware offered the following amendment H—3851 filed by Hanson, et al. :

H—3851

Amend House File 614 as follows:
1. Page 2, line 35, by inserting after the word "employment." the following: "The individuals shall

apply for any job training or counseling services available under the federal Job Training Partnership Act, Pub. L. No. 97-300."

2. Page 2, by inserting after line 35 the following: "This Act shall not be construed to disqualify individuals employed under the Iowa jobs now program from receiving services for which the individuals are otherwise eligible under the federal Job Training Partnership Act, Pub. L. No. 97-300."

Hanson of Delaware offered the following amendment H–3855, to amendment H–3851, filed by him and Varn of Johnson and moved its adoption:

H–3855

Amend amendment H–3851 to House File 614 as follows:

1. Page 1, line 5, by inserting after the word "available" the words "within their respective service delivery areas".

Amendment H–3855 was adopted.

On motion by Hanson of Delaware, amendment H–3851, as amended, was adopted.

Varn 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. 614)

The ayes were, 75:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Haverland	Hermann	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Pellett	Poncy	Renaud	Rosenberg

Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Camp	Van Gerpen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 21:

Anderson	Bennett	Branstad	Corey
Daggett	De Groot	Grandia	Halvorson, R. A.
Handorf	Harbor	Hoffmann-Bright	Maulsby
Menke	Paulin	Renken	Rensink
Schnekloth	Stromer	Tofte	Van Maanen
Welden			

Absent or not voting, 4:

Carl	Krewson	Lonergan	Royer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 614)

Norland of Worth asked and received unanimous consent to immediately message House File 614 to the Senate.

HOUSE CONCURRENT RESOLUTION 27
By O'Kane, Chiodo and Swartz

Whereas, existing state law limits the options available to local governments for the investment of temporarily idle public funds; and

Whereas, the investment of temporarily idle public funds could constitute a significant non-tax revenue source to local governments; and

Whereas, the public interest is best served by the prudent investment of temporarily idle public funds in a manner that will yield the maximum return to local governments to minimize local tax needs; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council authorize the appointment of a joint subcommittee of the house and senate committees on local government, as well as representation from other appropriate committees to study legislative proposals allowing local governments the maximum flexibility, liquidity and safety for the investment of public funds.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 9:40 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 633, by committee on finance, a bill for an act to provide for the establishment of a corporation by the Iowa development commission which will organize and manage an investment fund which will invest in Iowa enterprises and to provide for a state income tax credit on the net investment in the fund.

Read first time and placed on the **calendar.**

SENATE AMENDMENTS CONSIDERED

House Refused to Concur

Woods of Polk called up for consideration **House File 343,** a bill for an act authorizing the conservation commission to protect and manage all wild vertebrates, amended by the Senate, and moved that the House concur in the following Senate amendment H–3771:

H–3771

Amend House File 343, as passed by the House, as follows:

1. Page 1, by striking lines 4 through 6 and inserting in lieu thereof the following: "propagate, increase, and preserve the fish, game, fur-bearing animals, reptiles, and protected birds of the state and ~~to~~ enforce by proper".

2. Page 1, by striking lines 16 through 18 and inserting in lieu thereof the following:

"b. Fish hatcheries, fish nurseries, game farms, and fish, game, fur-bearing animal, reptiles, and protected bird refuges."

3. Page 1, by striking lines 22 and 23 and inserting in lieu thereof the following: "of fish, game, fur-bearing animals, reptiles, and protected birds needed for stocking".

4. Page 1, by striking lines 28 through 30 and inserting in lieu thereof the following:

"8. Control by shooting or trapping any fish, game, fur-bearing animals, reptiles, and protected birds for the purpose of preventing the de-".

5. By striking page 1, line 34 through page 2, line 8.

6. Amend the title by striking line 2 and inserting in lieu thereof the words "manage reptiles."

The motion lost and the House refused to concur in the Senate amendment H—3771.

House Refused to Concur

Miller of Woodbury called up for consideration **House File 581,** a bill for an act relating to the penalties for the crime of theft, amended by the Senate, and moved that the House concur in the following Senate amendment H—3767:

H—3767

Amend House File 581, as passed by the House, as follows:

1. Page 1, line 6, by striking the word "five" and inserting in lieu thereof the word "ten".

The motion lost and the House refused to concur in the Senate amendment H—3767.

Groth of Buena Vista called up for consideration **Senate File 355,** a bill for an act relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—3831 to the House amendment:

H—3831

Amend the House amendment S—3570 to Senate File 355 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 5, by striking the words "portion of the actual direct" and inserting in lieu thereof the word "reasonable".

The motion prevailed and the House concurred in the Senate amendment H—3831.

Groth of Buena Vista 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. 355)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Maulsby	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Carl	Fey	Lonergan	McIntee
Royer	Welden		

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 April 26, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 196, an act relating to health care by providing for the creation of a health data commission, its purposes, membership, powers, duties, and other related areas, by permitting a hospital service corporation to contract with an ambulatory surgical facility for surgical services, by permitting contracts between hospitals and radiologists and pathologists, by amending the membership of the board of directors of nonprofit hospital service corporations, nonprofit medical service corporations, and nonprofit pharmaceutical or optometric service corporations, and by providing a penalty.

House File 201, an act to delete a requirement that claims against a county be verified by the signature of the claimant.

House File 533, an act relating to the acceptance and use by cities of federal assistance for economic development projects.

House File 577, an act permitting health maintenance organizations to advertise the names of health professionals providing health care service at the health maintenance organization.

House File 587, an act relating to motor vehicle licenses by allowing use of minors' school licenses for travel between schools of enrollment, by exempting certain prior holders of minors' school licenses from being required to take a motorcycle education course before being issued operators' license, and by exempting certain prior holders of one-year probationary operators' licenses from being required to take approved driver education courses before being issued operators' licenses and providing the bill is effective upon publication.

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 April, 1983: House Files 150, 199, 243, 278, 344, 358, 437, 441, 444, 572 and 578.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

COMMUNICATIONS RECEIVED

The following communications have been received and are on file in the office of the Chief Clerk:

IOWA DEPARTMENT OF ENVIRONMENTAL QUALITY

A report filed pursuant to Chapter 455B.105 (6), Code of Iowa.

MENTAL HEALTH AND MENTAL RETARDATION COMMISSION

The annual report pursuant to Chapter 225C.6, Code of Iowa.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighty-five students from Johnston Senior High School, Johnston, accompanied by David Pitz and Cookie Cranston. By Haverland of Polk.

Sixty sixth grade students from Jackson Elementary School, Atlantic, accompanied by Paulette Hansen. By Pellett of Cass.

One hundred ten fifth graders from Red Oak Elementary School, Red Oak, accompanied by their teachers. By Harbor of Mills.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 339 Finance

Relating to lotteries.

S.B. 340 Finance

Relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, and to changes in Iowa's unemployment law to conform with federal law.

AMENDMENTS FILED

H–3859	H.F. 624	Harbor of Mills Stueland of Clinton
H–3860	S.F. 380	Osterberg of Linn
H–3861	H.F. 42	Baxter of Des Moines Cochran of Webster

On motion by Norland of Worth, the House adjourned at 2:44 p.m., until 9:00 a.m., Wednesday, April 27, 1983.

JOURNAL OF THE HOUSE

One Hundred Eighth Calendar Day—Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 27, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend David Nethercott, pastor of the Valley View Baptist Church, Cedar Falls.

The Journal of Tuesday, April 26, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Muhlbauer of Crawford, until his arrival, on request of Peick of Linn.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Anderson of Audubon, from fifty constituents.

By Harbor of Mills, from fifty-six constituents of Mills County.

By Koenigs of Mitchell, from one hundred twelve constituents.

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, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 628, a bill for an act relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations,

expanding the duties and tenure of the county finance committee, providing for current and noncurrent debt, making coordinating amendments, and continuing certain penalties.

Also: That the Senate has on April 25, 1983, 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 368, a bill for an act relating to the powers and duties of the department of water, air and waste management.

K. MARIE THAYER, Secretary

Unfinished Business Calendar

The House resumed consideration of **Senate File 503,** a bill for an act relating to inmates in correctional facilities, deferred and retained on the unfinished business calendar on April 20, 1983, and amendment H–3731, found on page 1460 of the House Journal.

Menke of O'Brien asked for unanimous consent to amend amendment H–3731 by inserting the word "currently" after the word "person" on line 7.

Objection was raised.

Skow of Guthrie in the chair at 9:55 a.m.

Spear of Lee moved the adoption of amendment H–3731.

A non-record roll call was requested.

The ayes were 56, nays 34.

Amendment H–3731 was adopted.

Halvorson of Clayton offered the following amendment H–3754 filed by him:

H–3754

Amend Senate File 503, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, by inserting after line 1, the following:

"Sec. . Chapter 684, Code 1983, is amended by adding the following new section:

NEW SECTION. RULES OF SENTENCING.

1. The supreme court may prescribe advisory rules to the district court which establish:

a. The circumstances under which imprisonment of an offender is proper.

b. Appropriate sanctions for offenders for whom imprisonment is not proper, including but not limited to noninstitutional sanctions such as fines, restitution, work release, community service sentencing, community-based correctional programs, probation, deferred judgment, deferred sentence, and suspended sentence.

2. In establishing the rules of sentencing, the court may take into consideration current sentencing and release practices and correctional resources, including but not limited to the capacities of local and state correctional facilities.

Sec. . Section 901.6, Code 1983, is amended to read as follows:

901.6 JUDGMENT ENTERED. If judgment is not deferred, and no sufficient cause is shown why judgment should not be pronounced and none appears to the court upon the record, judgment shall be pronounced and entered. In every case in which judgment is entered, the court shall include in the judgment entry the number of the particular section of the Code and the name of the offense under which the defendant is sentenced and a statement of the days credited pursuant to section 246.38 shall be incorporated into the sentence.

Sec. . Section 906.3, Code 1983, is amended to read as follows:

906.3 AUTHORITY OF PAROLE BOARD.

1. The board of parole shall promulgate regulations adopt rules regarding a system of paroles from correctional institutions, and shall direct, control, and supervise the administration of such the system of paroles. The board shall determine which of those persons who have been committed to the custody of the director of the division of adult corrections, by reason of their conviction of a public offense, shall be released on parole. The grant or denial of parole shall not be deemed a contested case as defined in section 17A.2.

2. The board of parole shall adopt rules pursuant to chapter 17A of the Code, as to the timing and

frequency of parole interviews and paroles, as to the shortest possible time of incarceration which an offender shall serve prior to eligibility for release on parole, and as to the length and conditions of paroles. These rules shall take into consideration the offender's past conviction record including the number of prior forcible felonies, nonforcible felonies, and aggravated misdemeanors, the length of time since conviction for the prior offenses, use of a firearm in the commission of the offense, and other relevant factors.

Sec. . Section 906.5, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Within one year after the commitment of ~~any~~ a person ~~other than a class "A" felon~~ to the custody of the director of the division of adult corrections, a ~~member~~ designee of the board shall interview the person. Thereafter, at regular intervals, not to exceed ~~one year,~~ the time provided for by rules adopted pursuant to section 906.3, subsection 2, the board shall interview the person and shall consider ~~his or her~~ the person's prospects for parole. At ~~such time~~ the interview, the board shall consider all pertinent information regarding this person, including the circumstances of the person's offense, any presentence report which may be available, the previous social history and criminal record of ~~such~~ the person, the person's conduct, employment and attitude in prison, and the reports of ~~such~~ physical and mental examinations ~~as~~ which have been made.

Sec. . Section 908.6, Code 1983, is amended to read as follows:

908.6 DISPOSITION BY LIAISON OFFICER. If it appears from the evidence that there is no probable cause to believe that the arrested person has violated the conditions of parole, the liaison officer shall order the arrested person to be released from custody and continued on parole. If it appears that there is probable cause to believe that the arrested person has violated the conditions of parole, the liaison officer shall commit the arrested person to the custody of the ~~department of social services~~ director of the division of adult corrections, and the procedure prescribed in section 901.7 shall apply to ~~such~~ the commitment; or the liaison officer may recommend that the arrested person be admitted to bail as provided in section 908.2. The liaison officer shall make a summary of the testimony and other evidence

Page 3

considered and a statement of the facts relied on as a basis for the finding of probable cause or no probable cause, and shall without delay forward them together with all documents relating to the matter to the executive secretary of the parole board. If the alleged parole violator has waived the probable cause hearing, the verbatim record of that proceeding shall be forwarded in lieu of the summary of evidence and statement of facts.

Sec. . Section 908.8, Code 1983, is amended to read as follows:

908.8 PROCEEDING WITHOUT ARREST OR PROBABLE CAUSE. The board of parole may receive from a parole officer a charge or complaint of parole violation against any parolee and may proceed to a hearing on ~~such~~ the charge in any case where the alleged violator has not been arrested or has been arrested and discharged by the liaison officer on a finding of no probable cause. The presence of the alleged violator at ~~such~~ the hearing shall be secured by summons. A statement of the charge against the alleged violator shall accompany the summons, and the parole officer shall give the alleged violator such assistance as is needed to get to the place of the hearing. Travel expenses, if any, shall be paid by the ~~board~~ department of social services. If the alleged violator fails without good cause to appear as commanded by the summons, ~~such~~ the failure shall be considered a violation of the parole, and the board may proceed to revoke parole. If the parole is revoked, the board shall issue a warrant for the person's arrest and return to the custody of the department of social services. Upon ~~his or her~~ the person's return to custody, the board shall, upon request, give the person an opportunity to present any matters in defense or mitigation of the conduct.

Sec. . Section 908.9, Code 1983, is amended to read as follows:

908.9 DISPOSITION OF VIOLATOR. If the parole of any parole violator is revoked, the violator shall remain in the custody of the ~~department of social services~~ director of the division of adult corrections under the terms of the parolee's original commitment. If the parole of any parole violator is not revoked, the board shall order ~~his or her~~ the violator's release subject to the terms of ~~his or her~~ parole with any modifications that the board ~~shall determine~~ determines are proper.

Sec. . Rule of criminal procedure 6, subsection 6, Iowa court rules, second edition, is amended to

Page 4

read as follows:

6. ALLEGATIONS OF USE OF A FIREARM. If the offense charged is one for which the defendant, if convicted, will be subject by reason of the Code to ~~a minimum sentence~~ an increased penalty because of use of a firearm, the allegation of such use, if any, shall be contained in the indictment. If use of a firearm is alleged as provided by this rule, and if the allegation is supported by the evidence, the court shall submit to the jury a special interrogatory concerning this matter, as provided in R.Cr.P. 21(2) Ia. Ct. Rules, 2d ed.

Sec. . Rule of criminal procedure 26, subsection 1, Iowa court rules, second edition, is amended to read as follows:

1. REPRESENTATION. Every defendant who is an indigent person as defined in section 331.775, subsection 4, ~~The Code (1981 Code Sup.),~~ is entitled to have counsel appointed to represent ~~him or her~~ the defendant at every stage of the proceedings from the defendant's initial appearance before the magistrate or the court through appeal, including probation and parole revocation hearings, unless the defendant waives ~~such~~ the appointment.

Sec. . Section 906.5, as amended by this Act is effective January 1, 1984."

The following amendment H—3863, to amendment H—3754, filed by Halvorson of Clayton from the floor, was adopted by unanimous consent:

H—3863

Amend amendment H—3754 to Senate File 503 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 5 through 36.

Knapp of Dubuque rose on a point of order that amendment H—3754 was not germane.

The Speaker ruled the point well taken and amendment H—3754 not germane.

Speaker Avenson in the chair at 10:29 a.m.

Halvorson of Clayton moved that the rules be suspended to consider amendment H—3754, as amended.

Roll call was requested by Halvorson of Clayton and Stromer of Hancock.

Rule 76 was invoked.

On the question "Shall the rules be suspended to consider amendment H–3754?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Paulin	Pellett	Renken
Rensink	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 57:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 3:

Davitt	Royer	Sherzan

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sherzan of Polk, for a portion of the day, on request of Running of Linn.

Knapp of Dubuque offered the following amendment H—3839 filed by him and moved its adoption:

H—3839

Amend Senate File 503 as amended, passed and reprinted by the Senate as follows:

1. Page 3, by inserting after line 1 the following:

"Sec. . Any reference to the "division of adult corrections" and the "department of social services" appearing in this Act shall be changed to the "department of corrections" and other corrective changes in this Act and in the Code shall be made consistent with the intent of Senate File 464 if Senate File 464 is enacted into law."

Amendment H—3839 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3845 filed by him and Jay of Appanoose and moved its adoption:

H—3845

Amend Senate File 503, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, by inserting after line 1, the following:

"Sec. . Section 804.1, unnumbered paragraph 2, Code 1983, is amended to read as follows:

~~Whenever~~ If the complaint charges a ~~simple misdemeanor~~ public offense, the magistrate may issue a citation instead of a warrant of arrest. The citation shall set forth substantially the nature of the offense and shall command the person against whom the complaint was made to appear before the magistrate issuing the citation at a time and place stated ~~therein~~ in the citation. The magistrate shall prescribe the manner of service for the citation at the time the citation is issued.

Sec. . Section 804.21, subsection 1, Code 1983, is amended to read as follows:

1. ~~Any~~ A person arrested in obedience to a warrant shall, ~~without unnecessary delay,~~ be taken without unnecessary delay before the nearest or most accessible magistrate ~~to the place where the arrest occurred, and the~~. The officer ~~must~~ shall at the same time deliver to the magistrate the warrant with the officer's return ~~thereon~~ endorsed on it and subscribed by the officer with ~~his or her~~ the officer's official

title. However, this section, and sections 804.22 and 804.23, do not preclude the release of an arrested person within the period of time the person would otherwise remain incarcerated while waiting to be taken before a magistrate if the release is pursuant to pretrial release guidelines or a bond schedule promulgated by the judicial council acting pursuant to Iowa rule of civil procedure 380. If, however, a person is released pursuant to pretrial release guidelines, a magistrate must, within twenty-four hours of such release, or as soon as practicable on the next subsequent working day of the court, either (1) approve in writing of the release, or (2) disapprove of the release and issue a warrant for the person's arrest.

Sec. . Section 804.21, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 4. a. The judicial council shall promulgate rules and bond levels to be contained within a bond schedule for the release of an arrested person.

b. The bond schedule shall not be used unless both the following conditions are met:

(1) The person was arrested for a crime other

than a forcible felony, and

(2) The courts are not in session.

NEW SUBSECTION. 5. This section does not prevent the release of the arrested person pending initial appearance upon the furnishing of bail in the amount endorsed on the warrant. The initial appearance of a person so released shall be scheduled for a time not more than ten days after the date of release.

Sec. . Section 804.22, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section and the rules of criminal procedure do not affect the provisions of chapter 805 authorizing the release of a person on citation or bail prior to initial appearance. The initial appearance of a person so released shall be scheduled for a time not more than ten days after the date of release.

Sec. . Section 811.2, Code 1983, is amended by adding the following new subsection 3 and renumbering the remaining subsections:

NEW SUBSECTION. 3. This chapter does not preclude the release of an arrested person as authorized by section 804.21.

Sec. . This Act, being deemed of immediate

importance, takes effect from and after its publication in the Quad City Times, a newspaper published in Davenport, Iowa, and in The Onawa Sentinel, a newspaper published in Onawa, Iowa."

Amendment H—3845 was adopted.

Spear of Lee offered the following amendment H—3842 filed by him and moved its adoption:

H—3842

Amend Senate File 503, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 4, by striking the words "the institutions" and inserting in lieu thereof the words "~~the~~ state institutions".

2. Page 3, by inserting after line 1, the following:

"Sec. . Section 246.19 is repealed."

Amendment H—3842 was adopted.

The following amendment H—3867 filed by Norland of Worth from the floor was adopted by unanimous consent:

H—3867

Amend Senate File 503, as amended, passed and reprinted by the Senate as follows:

1. Title page, line 1, by striking the word "inmates" and inserting in lieu thereof the following: "persons who are or may be incarcerated".

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 503)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver

Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Royer	Sherzan

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 503)

Norland of Worth asked and received unanimous consent to immediately message Senate File 503 to the Senate.

On motion by Norland of Worth, the House was recessed at 10:42 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SENATE AMENDMENT CONSIDERED

Fogarty of Palo Alto called up for consideration **House File 42**, a bill for an act relating to the residence qualification for election to

the office of drainage district trustee, amended by the Senate amendment H—3791 as follows:

H—3791

Amend House File 42 as amended, passed and reprinted by the House as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 462.1, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A district under the control of a city council as provided in chapter 459 may be placed under the control and management of a board of trustees by the city council following the procedures provided in this chapter for the county board of supervisors."

2. Page 1, by striking lines 10 through 14 and inserting in lieu thereof the following:

"2. The bona fide owner of benefited land in the district for which the trustee is elected. If the owner is a business corporation organized and existing under chapter 491, 494 or 496A, or a partnership, a stockholder or officer authorized by the corporation or general partner may be elected as a trustee of the district. This subsection applies only when eighty-five percent of the acreage of the levee or drainage district or election district from which the trustee is elected is within the corporate limits of a city."

Cochran of Webster offered the following amendment H—3861, to the Senate amendment H—3791, filed by Baxter of Des Moines and him:

H—3861

Amend the Senate amendment H—3791 to House File 42 as amended, passed and reprinted by the House, as follows:

1. Page 1, by striking lines 13 through 25 and inserting in lieu thereof the following:

"2. Page 1, by inserting after line 19 the following:

"4. In a district which is a levee and drainage district which has eighty-five percent of its acreage within the corporate limits of a city and has been under the control of a city under chapter 459, a bona fide owner of benefited land in the district. If the owner is a family farm corporation as defined

by section 172C.1, subsection 8, a business corporation organized and existing under chapter 491, 494, or 496A, or a partnership, a stockholder or officer authorized by the corporation or a general partner may be elected as a trustee of the district." "

2. Page 1, by inserting after line 25 the following:

"3. Amend the title, line 2, by inserting after the word "of" the words "levee or"."

Baxter of Des Moines moved the adoption of amendment H—3861, to the Senate amendment H—3791.

Amendment H—3861 was adopted.

On motion by Fogarty of Palo Alto, the House concurred in the Senate amendment H—3791, as amended.

Fogarty of Palo Alto 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. 42)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schnekloth
Schroeder	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan

Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Clark	Royer	Sherzan

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:

Clark of Cerro Gordo, until her arrival, on request of Halvorson of Clayton.

MOTIONS TO RECONSIDER PREVAILED
(House File 446)

Halvorson of Clayton called up for consideration the motion to reconsider House File 446, filed on March 29, 1983, and moved to reconsider the vote by which House File 446, a bill for an act providing for the creation, management, and administration of a protected water area system in this state, passed the House and was placed on its last reading on March 29, 1983.

A non-record roll call was requested.

The ayes were 83, nays none.

The motion prevailed and the House reconsidered House File 446.

Halvorson of Clayton offered the following amendment H–3484 filed by him and moved its adoption:

H–3484

1 Amend House File 446 as follows:
2 1. Page 4, line 17, by inserting after the word

3 "methods" the words ", except condemnation,".

Amendment H—3484 was adopted.

O'Kane 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. 446)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Varn	Welden	Zimmerman	Mr. Speaker

The nays were, 5:

Hummel	Maulsby	Renken	Van Maanen
Woods			

Absent or not voting, 3:

Clark	Royer	Sherzan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

(House File 440)

Skow of Guthrie called up for consideration the motion to reconsider House File 440, filed on March 21, 1983, and moved to reconsider the vote by which House File 440, a bill for an act relating to the department of social services' right of subrogation under the medical assistance program, medical assistance recipients' freedom of choice, and the membership of the medical assistance advisory council passed the House and was placed on its last reading on March 21, 1983.

A non-record roll call was requested.

The ayes were 71, nays none.

The motion prevailed and the House reconsidered House File 440.

Zimmerman of Dallas offered the following amendment H–3525 filed by her and Skow of Guthrie and moved its adoption:

H–3525

Amend House File 440 as follows:

1. Page 1, by striking lines 1 through 9 and inserting in lieu thereof the following:

"Section 1. Section 85.38 is amended by adding the following new subsection:

NEW SUBSECTION. 3. Lien for hospital and medical services under section 249A. In the event any hospital or medical services as defined in section 85.27 are paid by the state department of social services on behalf of an employee who is entitled to such benefits under the provisions of chapter 85, 85A or 85B, a lien shall exist as respects the right of such employee to benefits as described in section 85.27."

Amendment H–3525 was adopted.

Zimmerman 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. 440)

The ayes were, 97:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schnekloth
Schroeder	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

McIntee	Royer	Sherzan

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 at 1:53 p.m., until the fall of the gavel.

The House resumed session at 2:58 p.m., Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 634, by committee on finance, a bill for an act relating to lotteries by providing for a state lottery, an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket

sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty for their commission, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund.

Read first time and placed on the **calendar.**

House File 635, by committee on ways and means, a bill for an act relating to the state inheritance tax by eliminating the preliminary inheritance tax return, specifying the value to use in computing the tax, providing for inheritance tax receipts and collection of the tax, including penalties and interest and making coordinating amendments.

Read first time and referred to committee on **finance.**

House File 636, by Norland and Stromer, a bill for an act to allow the state department of transportation to issue until June 30, 1986, annual special permits for the operation of compacted rubbish vehicles and vehicles which transport compacted rubbish from the point of collection to a landfill area, which vehicles have a rear axle gross weight for two-axle vehicles not exceeding twenty-two thousand pounds.

Read first time and referred to committee on **transportation.**

House File 637, by committee on finance, a bill for an act relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, and to changes in Iowa's unemployment law to conform with federal law.

Read first time and placed on the **calendar.**

SENATE AMENDMENT CONSIDERED

Chiodo of Polk called up for consideration **House File 312,** a bill for an act relating to public utilities and providing civil penalties, amended by the Senate amendment H—3716 as follows:

H–3716

Amend House File 312 as amended, passed and reprinted by the House as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 13.7, Code 1983, is amended to read as follows:

13.7 SPECIAL COUNSEL. ~~No compensation~~ Compensation shall not be allowed to any person for services as an attorney or counselor to ~~any~~ an executive department of the state government, or the head thereof, or to ~~any~~ a state board or commission, ~~but~~. However, the executive council may employ legal assistance, at a reasonable compensation, in ~~any~~ a pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that the department of justice cannot for reasons stated by the attorney general perform ~~said~~ the service, which reasons and action of the council shall be entered upon its records. When the attorney general determines that the department of justice cannot perform legal service in an action or proceeding, the executive council shall request the department involved in the action or proceeding to recommend legal counsel to represent the department. If the attorney general concurs with the department that the person recommended is qualified and suitable to represent the department, the person recommended shall be employed. If the attorney general does not concur in the recommendation, the department shall submit a new recommendation. This section ~~shall~~ does not affect the ~~office of the commerce~~ general counsel for the Iowa state commerce commission, the transportation regulation authority counsel, ~~or~~ the legal counsel of the Iowa department of job service or the office of consumer advocate.

Sec. 2. Section 17A.2, subsection 1, Code 1983, is amended to read as follows:

1. "Agency" means each board, commission, department, officer or other administrative office or unit of the state. "Agency" does not mean the general assembly, the courts, the office of consumer advocate, the governor or a political subdivision of the state or its offices and units. Unless provided otherwise by statute, no less than two-thirds of the members eligible to vote of a multimember agency shall constitute a quorum authorized to act in the name of the agency.

Sec. 3. Section 18.98, subsection 7, Code 1983, is amended to read as follows:

7. To the office of governor, secretary of state,

Page 2

auditor of state, treasurer of state, commissioner of insurance, general counsel for the Iowa state commerce commission, and ~~commerce counsel~~ consumer advocate, each . . . . . 1 copy

Sec. 4. Section 28F.1, unnumbered paragraph 1, Code 1983, is amended to read as follows:

This chapter ~~is intended to provide~~ provides a means for the joint financing by public agencies of works or facilities useful and necessary for the collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, and industrial waste, also electric power facilities constructed within the state of Iowa except that hydroelectric power facilities may also be located in the waters and on the dams of or on land adjacent to either side of the Mississippi or Missouri river bordering the state of Iowa, water supply systems, swimming pools or golf courses. ~~The provisions of this~~ This chapter ~~apply~~ applies to the acquisition, construction, reconstruction, ownership, operation, repair, extension, or improvement of such works or facilities, by a separate administrative or legal entity created pursuant to chapter 28E. When the legal entity created under this chapter is comprised solely of cities, counties, and sanitary districts established under chapter 358, or any combination thereof or any combination of the foregoing with other public agencies, the entity shall be both a corporation and a political subdivision with the name under which it was organized. The legal entity may sue and be sued, contract, acquire and hold real and personal property necessary for corporate purposes, adopt a corporate seal and alter the ~~same~~ seal at pleasure, and execute all the powers conferred in this chapter.

Sec. 5. Section 474.1, unnumbered paragraph 3, Code 1983, is amended to read as follows:

As used in this ~~section and sections 474.2 to 474.9~~ chapter and chapter 475A, the words "commission" and "commerce commission" mean the Iowa state commerce commission.

Sec. 6. NEW SECTION. 474.10 GENERAL COUNSEL.

The commission shall employ competent attorneys as the general counsel and assistants to the general counsel as it finds necessary for the full and efficient discharge of its duties. The general counsel shall be the attorney for, and legal advisor of, the commission and shall be exempt from chapter 19A. Assistants to the general counsel shall be subject to chapter 19A. The general counsel or assistant to the general counsel shall provide the necessary

Page 3

legal advice to the commission in all matters and represent the commission in all actions instituted in a state or federal court challenging the validity of any rule, regulation, or order of the commission. The general counsel shall also represent the grain warehouse division in all administrative proceedings before the commission brought under chapters 542, 542A, and 543. The existence of a fact which disqualifies a person from election or acting as state commerce commissioner disqualifies the person from employment as general counsel or assistant general counsel. The general counsel shall devote the counsel's entire time of employment to the duties of the office; and during employment the counsel shall not be a member of a political committee, contribute to a political campaign fund other than through the income tax checkoff for contributions to the Iowa election campaign fund and the presidential election campaign fund, participate in a political campaign, or be a candidate for a political office.

Sec. 7. NEW SECTION. 475A.1 CONSUMER ADVOCATE.

1. APPOINTMENT. After the general assembly convenes in 1983, and every four years thereafter, the governor shall appoint a competent attorney to the office of consumer advocate, subject to confirmation by the senate, in accordance with section 2.32. The advocate's term of office is for four years. The term begins and ends as provided in section 69.19.

2. VACANCY. If a vacancy occurs in the office of consumer advocate, the vacancy shall be filled for the unexpired term in the same manner as an original appointment under the procedures of section 2.32.

3. DISQUALIFICATION. The existence of a fact which disqualifies a person from election or acting as state commerce commissioner under section 474.2 disqualifies the person from appointment or acting as consumer advocate.

4. POLITICAL ACTIVITY PROHIBITED. The consumer advocate shall devote the advocate's entire time to the duties of the office; and during the advocate's term of office the advocate shall not be a member of a political committee or contribute to a political campaign fund other than through the income tax checkoff for contributions to the Iowa election campaign fund and the presidential election campaign fund or take part in political campaigns or be a candidate for a political office.

5. REMOVAL. The governor may remove the consumer

Page 4

advocate for malfeasance in office, or for any cause which renders the advocate ineligible for appointment, or incapable or unfit to discharge the duties of the advocate's office; and the advocate's removal, when so made, is final.

Sec. 8. NEW SECTION. 475A.2 DUTIES. The consumer advocate shall:

1. Investigate the legality of all rates, charges, rules, regulations, and practices of all persons under the jurisdiction of the Iowa state commerce commission, and institute civil proceedings before the commission or any court to correct any illegality on the part of any such person. In any such investigation, the person acting for the office of the consumer advocate shall have the power to ask the commission to issue subpoenas, compel the attendance and testimony of witnesses, and the production of papers, books, and documents, at the discretion of the commission.

2. Act as attorney for and represent all consumers generally and the public generally in all proceedings before the Iowa state commerce commission.

3. Institute as a party judicial review of any decision of the Iowa state commerce commission, if the consumer advocate deems judicial review to be in the public interest.

4. Appear for all consumers generally and the public generally in all actions instituted in any state or federal court which involve the validity of a rule, regulation, or order of the Iowa state commerce commission.

5. Act as attorney for and represent all consumers generally and the public generally in proceedings before federal and state agencies and related judicial review proceedings and appeals, at the discretion of the consumer advocate.

6. Appear and participate as a party in the name of the office of consumer advocate in the performance of the duties of the office.

Sec. 9. NEW SECTION. 475A.3 OFFICE—EMPLOYEES-EXPENSES.

1. OFFICE. The office of consumer advocate is at the seat of the government at the same location as the Iowa state commerce commission.

2. EMPLOYEES. The consumer advocate may employ attorneys, legal assistants, secretaries, clerks, and other employees the consumer advocate finds necessary for the full and efficient discharge of the duties and responsibilities of the office. The consumer advocate may employ consultants as expert witnesses or technical advisors pursuant to contract

Page 5

in any proceeding in which the consumer advocate is a party.

3. SALARIES, EXPENSES, AND APPROPRIATION. The salary of the consumer advocate shall be fixed by the general assembly. The salaries of employees of the consumer advocate and the reimbursement of expenses for the employees and the consumer advocate are as provided by law. The appropriation for the office of consumer advocate shall be a separate line item contained in the appropriation for the Iowa state commerce commission.

In establishing salaries and benefits for employees the consumer advocate shall provide for an affirmative action plan which shall be based upon guidelines provided by the Iowa state civil rights commission. In addition, when establishing salaries and benefits the consumer advocate shall not discriminate in the employment or pay between employees on the basis of gender by paying wages to employees at a rate less than the rate at which wages are paid to employees of the opposite gender for work of comparable worth. As used in this section "comparable worth" means the value of work as measured by the composite of the skill, effort, responsibility, and working conditions normally required in the performance of work.

The consumer advocate shall make a report to the legislative council which shall contain a copy of the affirmative action plan adopted and details regarding the manner in which compliance is made for establishing salaries and benefits based on comparable worth. The report shall be made to the legislative council as soon as possible after the effective date of this Act but not later than August 1, 1983, unless the legislative council shall extend the date for making the report.

Sec. 10. NEW SECTION. 475A.4 COMMERCE COMMISSION RECORDS AND EMPLOYEES.

1. The consumer advocate has free access to all the files, records, and documents in the office of the Iowa state commerce commission except:

a. Personal information in confidential personnel records of the commerce commission.

b. Records which represent and constitute the work product of the commerce counsel, and records of confidential communications between commerce commissioners and the commerce counsel, where the records relate to a proceeding before the commerce commission in which the consumer advocate is a party or a proceeding in any state or federal court in which both the commerce commission and the consumer advocate

Page 6

are parties.

c. Customer information of a confidential nature which could jeopardize the customer's competitive status and is provided by the utility to the commission. Such correspondence and information shall be provided to the consumer advocate by the commission, if the commission determines it to be in the public interest.

2. The consumer advocate may utilize employees of the commerce commission as expert witnesses or technical advisors in any proceeding in which the consumer advocate is a party. The consumer advocate may utilize employees of the commerce commission to assist in investigations and studies related to rates and services of utilities, as deemed appropriate by the commission. However, any commerce commission employee utilized by the consumer advocate shall not participate on behalf of the commission in its decision.

Sec. 11. NEW SECTION. 475A.5 SERVICE. The consumer advocate is entitled to service of all documents required by statute or rule to be served on parties in proceedings before the Iowa state commerce commission and all notices, petitions, applications, complaints, answers, motions, and other pleadings filed pursuant to statute or rule with the commerce commission.

Sec. 12. NEW SECTION. 475A.6 CERTIFICATION OF EXPENSES TO COMMERCE COMMISSION. The consumer advocate shall determine the advocate's expenses, including a reasonable allocation of general office expenses, directly attributable to participation in proceedings involving specific utilities, and shall certify the expenses to the Iowa state commerce commission not less than quarterly. The expenses shall then be includable in the expenses of the commerce commission subject to direct assessment under section 476.10.

The consumer advocate shall annually, within ninety days after the close of each fiscal year, determine the advocate's expenses, including a reasonable allocation of general office expenses, attributable to participation in proceedings involving public utilities generally, and shall certify the expenses to the commerce commission. The expenses shall then be includable in the expenses of the commission subject to remainder assessment under section 476.10.

The consumer advocate is entitled to notice and opportunity to be heard in any commerce commission proceeding on objection to an assessment for expenses certified by the consumer advocate. Expenses assessed

under this section shall not exceed the amount appropriated for the office of consumer advocate.

Sec. 13. NEW SECTION. 475A.7 CONSUMER ADVISORY PANEL. The governor shall appoint nine members to a consumer advisory panel to meet at the request of the consumer advocate for consultation regarding public utility regulation. A member shall be appointed from each congressional district with the appointee residing within the congressional district at the time of appointment. The remaining appointees shall be members at large. The members shall serve four-year terms at the pleasure of the governor and their appointments are not subject to confirmation. The governor shall fill a vacancy in the same manner as the original appointment for the unexpired portion of the member's term. Members of the consumer advisory panel shall serve without compensation, but shall be reimbursed for actual expenses from funds appropriated to the office of consumer advocate.

Sec. 14. Section 476.1, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The jurisdiction of the commission as to the regulation of communications services is not applicable to a service or facility provided by a telephone utility that is or becomes subject to competition, as determined by the commission. In determining whether a service or facility is or becomes subject to competition, the commission shall consider whether a comparable service or facility is available from a supplier other than the telephone utility. When a service or facility provided by a telephone utility becomes subject to competition, the commission shall, within a reasonable period of time, deregulate that service or facility. Upon deregulation, all investment, revenues, and expenses associated with the service or facility shall be removed from the telephone utility's regulated operations and shall not be considered by the commission in setting rates for the telephone utility unless they continue to affect the company's regulated operations. In the event that the commission considers investment, revenues, and expenses associated with unregulated services or facilities in setting rates for the telephone utility, the commission shall not use any profits or costs from such unregulated services or facilities to determine the rates for regulated services or facilities. Nothing in this section shall preclude the commission from considering the investment, revenues and expenses associated with the sale of classified directory advertising by a

Page 8

telephone utility in determining rates for the telephone utility.

Sec. 15. Section 476.1, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. As used in this chapter, "commission" or "commerce commission" means the Iowa state commerce commission.

Sec. 16. Section 476.3, subsection 1, Code 1983, is amended to read as follows:

1. ~~Every~~ A public utility shall furnish reasonably adequate service at rates and charges in accordance with tariffs filed with the commission. When there is filed with the commission by any person or body politic, or filed by the commission upon its own motion, a written complaint requesting the commission to determine the reasonableness of the rates, charges, schedules, service, regulations, or anything done or omitted to be done by ~~any~~ a public utility subject to this chapter in contravention of ~~the provisions of~~ this chapter, the written complaint shall be forwarded by the commission to the public utility, which shall be called upon to satisfy the complaint or to answer it in writing within a reasonable time to be specified by the commission. Copies of the written complaint forwarded by the commission to the public utility and copies of all correspondence from the public utility in response to the complaint shall be provided by the commission in an expeditious manner to the consumer advocate. If ~~the public utility does not satisfy~~ the commission ~~with respect to the complaint within the time specified~~ determines the public utility's response is inadequate and there appears to be any reasonable ground for investigating the complaint, the commission shall promptly initiate a formal proceeding. If the consumer advocate determines the public utility's response to the complaint is inadequate, the consumer advocate may file a petition with the commission which shall promptly initiate a formal proceeding if the commission determines that there is any reasonable ground for investigating the complaint. The formal proceeding may be initiated at any time by the commission on its own motion. If a proceeding is initiated upon ~~application or~~ petition filed by the consumer advocate or upon the commission's own motion, the commission shall set the case for hearing and give notice as it deems appropriate. When the commission, after a hearing held after reasonable notice, finds ~~any~~ a public utility's rates, charges, schedules, service, or regulations are unjust, unreasonable,

discriminatory, or otherwise in violation of any provision of law, the commission shall determine just, reasonable, and nondiscriminatory rates, charges, schedules, service, or regulations to be observed and enforced.

Sec. 17. Section 476.3, subsection 2, Code 1983, is amended to read as follows:

2. If, as a result of ~~either~~ a review procedure conducted under section 476.31, ~~or~~ a review conducted under section 476.32, a special audit, an investigation by commission staff, or an investigation by the consumer advocate, a complaint is filed by commission staff, or a petition is filed with the commission by the consumer advocate, alleging that a utility's rates are excessive, the disputed amount shall be specified in the complaint or petition. The public utility shall, within the time prescribed by the commission, file a bond or undertaking approved by the commission conditioned upon the refund in a manner prescribed by the commission of amounts collected after the date of filing of the complaint or petition in excess of rates or charges finally determined by the commission to be lawful. If upon hearing the commission finds that the utility's rates are unlawful, the commission shall order a refund, with interest, of amounts collected after the date of filing of the complaint that are determined to be in excess of the amounts which would have been collected under the rates finally approved~~, provided that~~. However, the commission shall not order a refund that is greater than the amount specified in the complaint, plus interest, and provided that if the commission fails to render a decision within ~~one hundred eighty days~~ ten months following the date of filing of the complaint or petition, the commission shall not order a refund of any excess amounts that are collected after the expiration of that ~~one hundred eighty-day~~ ten-month period and prior to the date the decision is rendered.

Sec. 18. Section 476.6, subsections 1 and 5, Code 1983, are amended to read as follows:

1. FILING WITH COMMISSION. A public utility subject to rate regulation shall not make effective ~~any~~ a new or changed rate, charge, schedule or regulation ~~except by filing it with the commission at least thirty days prior to its effective date~~ until the rate, charge, schedule, or regulation has been approved by the commission, except as provided in subsections 11 and 13. ~~The commission, for good cause shown, may allow changes in rates, charges, schedules~~

Page 10

~~or regulations to become effective on less than thirty days' notice.~~

PARAGRAPH DIVIDED. ~~Any~~ A subscriber of a telephone exchange or service, who is declared to be legally blind under section 422.12, subsection 1, paragraph "e", is exempt from any charges for telephone directory assistance that may be approved by the commerce commission.

5. WRITTEN NOTICE OF INCREASE. All public utilities, ~~including~~ except those exempted from rate regulation by ~~the provisions of~~ section 476.1, shall give written notice of ~~any~~ a proposed increase of any rate or charge to all affected customers served by the public utility ~~at least thirty days prior to the effective date thereof~~ no more than sixty-two days prior to and prior to the time the application for the increase is filed with the commission. Public utilities exempted from rate regulation by section 476.1 shall give written notice of a proposed increase of any rate or charge to all affected customers served by the public utility at least thirty days prior to the effective date of the increase. If the public utility is subject to rate regulation, the notice to affected customers shall also state that the customer has a right to file a written objection to ~~such~~ the rate increase and that ~~he~~ the affected customers may request the commission to hold a public hearing to determine if ~~such~~ the rate increase should be allowed. The commission shall prescribe the manner and method that the written notice to each affected customer of the public utility shall be served.

Sec. 19. Section 476.6, subsections 6, 7, 8, 9, and 10, Code 1983, are amended by striking the subsections and inserting in lieu thereof the following:

6. FACTS AND ARGUMENTS SUBMITTED. At the time a public utility subject to rate regulation files with the commission an application for any new or changed rates, charges, schedules, or regulations, the public utility also shall submit factual evidence and written argument offered in support of the filing. If the filing is an application for a general rate increase, the utility shall also file affidavits containing testimonial evidence to be offered in support of the filing, although this requirement does not apply if the public utility is a rural electric cooperative.

7. HEARING SET. After the filing of an application for new or changed rates, charges, schedules, or regulations by a public utility subject to rate

Page 11

regulation, the commission, prior to the expiration of thirty days after the filing date, shall docket the case as a formal proceeding and set the case for hearing unless the new or changed rates, charges, schedules, or regulations are approved by the commission. In the case of a rural electric cooperative, the commission may docket the case as a formal proceeding and set the case for hearing prior to the proposed effective date of the tariff. The commission shall give notice of formal proceedings as it deems appropriate. The docketing of a case as a formal proceeding suspends the effective date of the new or changed rates, charges, schedules, or regulations until the rates, charges, schedules, or regulations are approved by the commission, except as provided in subsection 13.

8. UTILITY HEARING EXPENSES REPORTED. When a case has been docketed as a formal proceeding under subsection 7, the public utility, within a reasonable time thereafter, shall file with the commission a report outlining the utility's expected expenses for litigating the case through the time period allowed by the commission in rendering a decision. As part of the findings of the commission under subsection 9, the commission shall allow recovery of costs of the litigation expenses over a reasonable period of time to the extent the commission deems the expenses reasonable and just.

9. FINDING BY COMMISSION. If, after hearing and decision on all issues presented for determination in the rate proceeding, the commission finds the proposed rates, charges, schedules, or regulations of the utility to be unlawful, the commission shall by order authorize and direct the utility to file new or changed rates, charges, schedules, or regulations which, when approved by the commission and placed in effect, will satisfy the requirements of this chapter. The rates, charges, schedules, or regulations so approved are lawful and effective upon their approval.

10. LIMITATION ON FILINGS. A public utility shall not make a subsequent filing of an application for a new or changed rate, charge, schedule, or regulation which relates to services for which a rate filing is pending within twelve months following the date the prior application was filed or until the commission has issued a final order on the prior application, whichever date is earlier, unless the public utility applies to the commission for authority and receives authority to make a subsequent filing at an earlier

Page 12

date.

Sec. 20. Section 476.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 11. AUTOMATIC ADJUSTMENTS PERMITTED. This chapter does not prohibit a public utility from making provision for the automatic adjustment of rates and charges for public utility service provided that a schedule showing the automatic adjustment of rates and charges is first filed with the commission.

If an automatic adjustment is used, the adjustment must be reduced to zero at least once in every twelve-month period, and all appropriate charges collected by the automatic adjustment shall be incorporated in the utility's other rates at that time.

Sec. 21. Section 476.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 12. RATE LEVELS FOR TELEPHONE UTILITIES. The commission may approve a schedule of rate levels for any regulated service provided by a utility providing communication services.

Sec. 22. Section 476.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 13. TEMPORARY AUTHORITY. Upon the request of a public utility, the commission shall, when required by this subsection, grant the public utility temporary authority to place in effect any or all of the suspended rates, charges, schedules or regulations by filing with the commission a bond or other undertaking approved by the commission conditioned upon the refund in a manner to be prescribed by the commission of any amounts collected in excess of the amounts which would have been collected under rates, charges, schedules or regulations finally approved by the commission. In determining that portion of the new or changed rates, charges, schedules or regulations to be placed in effect prior to a final decision, the commission shall apply previously established regulatory principles and shall, at a minimum, permit rates and charges which will allow the utility the opportunity to earn a return on common stock equity equal to that which the commission held reasonable and just in the most recent rate case involving the same utility or the same type of utility service, provided that if the most recent final decision of the commission in an applicable rate case was rendered more than twelve months prior to the date of filing of the request for temporary rates, the commission shall in addition consider financial market data that is filed or that

Page 13

is otherwise available to the commission and shall adjust the rate of return on common stock equity that was approved in that decision upward or downward as necessary to reflect current conditions. The commission shall render a decision on a request for temporary authority within ninety days after the date of filing of the request. The decision shall be effective immediately. If the commission has not rendered a final decision with respect to suspended rates, charges, schedules or regulations upon the expiration of ten months after the filing date, plus the length of any delay that necessarily results either from the failure of the public utility to exercise due diligence in connection with the proceedings or from intervening judicial proceedings, plus the length of any extension permitted by section 476.33, subsection 3, then those portions that were approved by the commission on a temporary basis shall be deemed finally approved by the commission and the utility may place them into effect on a permanent basis, and the utility also may place into effect subject to refund and until the final decision of the commission any portion of the suspended rates, charges, schedules or regulations not previously approved on a temporary basis by filing with the commission a bond or other undertaking approved by the commission.

If the commission finds that an extension of the ten-month period is necessary to permit the accumulation of necessary data with respect to the operation of a newly constructed electric generating facility that has a capacity of one hundred megawatts or more of electricity and that is proposed to be included in the rate base for the first time, the commission may extend the ten-month period up to a maximum extension of six months, but only with respect to that portion of the suspended rates, charges, schedules or regulations that are necessarily connected with the inclusion of the generating facility in the rate base. If a utility is proposing to include in its rate base for the first time a newly constructed electric generating facility that has a capacity of one hundred megawatts or more of electricity, the filing date of new or changed rates, charges, schedules or regulations shall, for purposes of computing the ninety-day and ten-month limitations stated above, be the date as determined by the commission that the new plant went into service, but only with respect to that portion of the suspended rates, charges, schedules or regulations that are necessarily connected.

Page 14

with the inclusion of the generating facility in the rate base.

The commission shall determine the rate of interest to be paid by a public utility to persons receiving refunds. The interest rate to be applied to refunds of moneys collected subject to refund under this subsection is two percent per annum plus the average quarterly interest rate at commercial banks for twenty-four-month loans for personal expenditures, as determined by the commission, compounded annually. The commission shall consider federal reserve statistical release G.19 or its equivalent when determining interest to be paid under this subsection.

Sec. 23. Section 476.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 14. REFUNDS PASSED ON TO CUSTOMERS. If pursuant to federal law or rule a rate-regulated public utility furnishing gas to customers in the state receives a refund or credit for past gas purchases, the savings shall be passed on to the customers in a manner approved by the commission. Similarly, if pursuant to federal law or rule a rate-regulated public utility furnishing gas to customers in the state receives a rate for future gas purchases which is lower than the price included in the public utility's approved rate application, the savings shall be passed on to the customers in a manner approved by the commission.

Sec. 24. Section 476.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 15. NATURAL GAS SUPPLY AND COST REVIEW. The commerce commission shall periodically, but not less than annually, conduct a proceeding for the purpose of evaluating the reasonableness and prudence of a rate-regulated public utility's natural gas procurement and contracting practices. The natural gas supply and cost review shall be conducted as a contested case pursuant to chapter 17A.

Under procedures established by the commerce commission, each rate-regulated public utility furnishing gas shall periodically file a complete natural gas procurement plan describing the expected sources and volumes of its gas supply and changes in the cost of gas anticipated over a future twelve-month period specified by the commission. The plan shall describe all major contracts and gas supply arrangements entered into by the utility for obtaining gas during the specified twelve-month period. The description of the major contracts and arrangements shall include the price of gas, the duration of the

Page 15

contract or arrangement, and an explanation or description of any other term or provision as required by the commission. The plan shall also include the utility's evaluation of the reasonableness and prudence of its decisions to obtain gas in the manner described in the plan, an explanation of the legal and regulatory actions taken by the utility to minimize the cost of gas purchased by the utility, and such other information as the commission may require.

Contemporaneously with the natural gas procurement plan, the public utility shall file with the commission a five-year forecast of the gas requirement of its customers, its anticipated sources of supply, and projections of gas costs. The forecast shall include a description of all relevant major contracts and gas supply arrangements entered into or contemplated between the gas utility and its suppliers, a description of all major gas supply arrangements which the gas utility knows have been, or expects will be, entered into between the utility's principal pipeline suppliers and their major sources of gas, and such other information as the commission may require.

During the natural gas supply and cost review, the commission shall evaluate the reasonableness and prudence of the gas procurement plan. In evaluating the gas procurement plan, the commission shall consider the volume, cost, and reliability of the major alternative gas supplies available to the utility; the cost of alternative fuels available to the utility's customers; the availability of gas in storage; the appropriate legal and regulatory actions which the utility could take to minimize the cost of purchased gas; the gas procurement practices of the utility; and other relevant factors. If a utility is not taking all reasonable actions to minimize its purchase gas costs, consistent with assuring an adequate long-term supply of natural gas, the commission shall not allow the utility to recover from its customers purchase gas costs in excess of those costs that would be incurred under reasonable and prudent policies and practices.

The commission shall also evaluate the five-year forecast filed by the public utility. The commission may indicate any cost items in the five-year forecast that on the basis of present evidence in the record the commission would be unlikely to permit the utility to recover from its customers in rates, charges or purchased gas clauses established in the future. Nothing in this section prohibits the commission from disallowing the recovery of other related or unrelated

Page 16

costs on the basis of evidence received in a later contested case proceeding.

The commission shall adopt rules pursuant to chapter 17A to implement the provisions of this section prior to January 1, 1984.

Sec. 25. Section 476.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 16. ANNUAL ELECTRIC ENERGY SUPPLY AND COST REVIEW. The commerce commission shall conduct an annual proceeding for the purpose of evaluating the reasonableness and prudence of a rate-regulated public utility's procurement and contracting practices related to the acquisition of fuel for use in generating electricity. The proceeding shall be conducted as a contested case pursuant to chapter 17A. Under procedures established by the commerce commission, the utility shall file information as the commission deems appropriate. If a utility is not taking all reasonable actions to minimize its fuel costs, the commission shall not allow the utility to recover from its customers fuel costs in excess of those costs that would be incurred under reasonable and prudent policies and practices.

Contemporaneously with the annual review proceeding, the commission shall analyze the electric generating capacity needs for the next decade by the public utility's customers, under procedures established by the commission. The utility shall file information regarding future capacity needs of its customers as deemed appropriate by the commission.

Sec. 26. Section 476.8, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Every public utility is required to furnish reasonably adequate service and facilities. "Reasonably adequate service and facilities" for public utilities furnishing gas or electricity includes programs for customers to encourage the use of energy conservation and renewable energy sources. The charge made by any public utility for any heat, light, gas, energy conservation and renewable energy programs, water or power produced, transmitted, delivered or furnished, or communications services, or for any service rendered or to be rendered in connection therewith shall be reasonable and just, and every unjust or unreasonable charge for such service is prohibited and declared unlawful. In determining reasonable and just rates, the commission shall consider all factors relating to value and shall not be bound by rate base decisions or rulings made prior to the adoption of this chapter.

Page 17

Sec. 27. Section 476.10, unnumbered paragraphs 1 and 2, Code 1983, are amended to read as follows:

~~Whenever~~ When the commission ~~shall deem~~ deems it necessary in order to carry out the duties imposed upon it by this chapter for the purpose of determining rate matters to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, ~~such~~ or to review the operations or annual reports of the public utility under section 476.31 or 476.32, the public utility shall pay the expense reasonably attributable to ~~such~~ the investigation, appraisal, ~~or~~ service, or review. The commission shall ascertain ~~such~~ the expenses including certified expenses incurred by the office of consumer advocate directly chargeable to the public utility under section 475A.6, and shall render a bill ~~therefor~~, by certified mail, to the public utility, either at the conclusion of the investigation, appraisal, ~~or~~ services, or review, or from time to time during its progress, which bill ~~shall constitute~~ is notice of ~~said~~ the assessment and shall demand payment ~~thereof~~. The total amount of such expense in any one calendar year, for which any public utility shall become liable, shall not exceed two-tenths of one percent of its gross operating revenues derived from intrastate public utility operations in the last preceding calendar year.

The commission shall ascertain the total of its expenditures during each year which are reasonably attributable to the performance of its duties under this chapter ~~and~~. The commission shall add to this total the certified expenses of the consumer advocate as provided under section 475A.6 and shall deduct ~~therefrom~~ all amounts chargeable directly to any specific utility under any law. The remainder shall be assessed by the commission to the ~~several~~ public utilities in proportion to their respective gross operating revenues during the last calendar year derived from intrastate public utility operations and shall be assessed within ninety days of the close of the calendar year based upon an estimate of the commission expenditures for the first half of the commission's fiscal year and again within ninety days of the close of the fiscal year as necessary to conform the amount of the assessment to the requirements of this section. Public utilities exempt from rate regulation under this chapter shall not be assessed for remainder expenses incurred during review of rate-

Page 18

regulated public utilities under section 476.31 or 476.32, but such remainder expenses shall be assessed proportionally as provided in this section among only the rate-regulated public utilities. The total amount which may be assessed to the public utilities under authority of this paragraph shall not exceed ~~one-tenth~~ two-tenths of one percent of the total gross operating revenues of ~~such~~ the public utilities during ~~such~~ the calendar year derived from intrastate public utility operations. However, the total amount which may be assessed in any one calendar year to a public utility under this section shall not exceed three-tenths of one percent of the utility's total gross operating revenues derived from intrastate public utility operation in the last preceding year. For public utilities exempted from rate regulation under this chapter, the assessments under this paragraph shall be computed at one-half the rate used in computing the assessment for other utilities.

Sec. 28. Section 476.13, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

476.13 JUDICIAL REVIEW.

1. Notwithstanding the Iowa administrative procedure Act, the district court for Polk county or for the county in which a public utility maintains its principal place of business has exclusive venue for the judicial review under chapter 17A of actions of the commission pursuant to rate-regulatory powers over that public utility.

2. Upon the filing of a petition for judicial review in an action referred to in subsection 1, the clerk of the district court shall notify the chief justice of the supreme court for purposes of assignment of a district judge under section 602.23. The judicial review proceeding shall be heard by the district judge appointed by the supreme court under section 602.23, but in the county of venue under subsection 1.

3. Notwithstanding the Iowa administrative procedure Act, if a public utility seeks judicial review of an order approving rates for the public utility, the level of rates that may be collected, under bond and subject to refund, while the appeal is pending shall be limited to the level of the temporary rates set by the commission, or the level of the final rates set by the commission, whichever is greater. During the period the judicial review proceeding is pending, the commission shall retain jurisdiction to determine the rate of interest to be paid on any refunds eventually required on rates

Page 19

collected during judicial review.

Sec. 29. NEW SECTION. 476.18 IMPERMISSIBLE CHARGES.

1. Public utilities subject to rate regulation are prohibited from including either directly or indirectly in their charges or rates to customers the costs of lobbying.

2. Legal costs and attorney fees incurred by a public utility subject to rate regulation in an appeal in state or federal court involving the validity of any action of the commission shall not be included either directly or indirectly in the public utility's charges or rates to customers except to the extent that recovery of legal costs and attorney fees is allowed by the commission. The commission shall allow a public utility to recover reasonable legal costs and attorney fees incurred in the appeal. The commission may consider the degree of success of the legal arguments of the public utility in determining the reasonable legal costs and attorney fees to be allowed.

3. Except when required by the commerce commission or by other state or federal regulation, the costs of advertising in the following categories by public utilities subject to rate regulation shall not be included directly or indirectly in charges or rates to customers:

a. Political advertising expense which includes the cost of labor, materials used, and expenses incurred in advertising whether on a national, regional, or local basis, if the advertising is designed to influence public opinion with respect to the election or appointment of public officials or the adoption, repeal, revocation, or modification of referenda, legislation, or ordinances. This category also includes expenditures for influencing the decisions of public officials except for those expenditures which are directly related to appearances before regulatory or other governmental bodies in connection with the utility's existing or proposed operations.

b. Promotional advertising expense which includes the cost of labor, materials used, and expenses incurred in advertising designed to promote or retain the use of utility service.

c. Institutional or goodwill advertising expense which includes the cost of labor, materials used, and expenses incurred in advertising which is designed to create, enhance, or sustain the utility's image or goodwill to the general public or its customers.

Page 20

d. Rate justification advertising expense which includes the cost of labor, materials used, and expenses incurred in advertising, whether on a regional or local basis which is designed to promote public acceptance of utility rate increases or the utility's filed rates. This category also includes all costs incurred by the utility for advertising in opposition to a decision of the regulatory agency. However, the expenses associated with simply informing customers that new rates have been requested may be included in charges, if permitted by the commission.

4. This section does not apply to a rural electric cooperative.

Sec. 30. Section 476.20, Code 1983, is amended to read as follows:

476.20 CUSTOMER PAYMENTS, ABANDONMENT AND TERMINATION OF SERVICE—DEPOSITS.

1. ~~No~~ A utility shall not, except in cases of emergency, discontinue, reduce, or impair service to a community, or a part of a community, except for nonpayment of account or violation of rules and regulations, unless and until ~~there shall have been first~~ permission to do so is obtained from the commission ~~permission to do so~~.

2. The commerce commission shall establish rules requiring a regulated public utility furnishing gas or electricity to include in the utility's notice of pending disconnection of service a written statement advising the customer that the customer may be eligible to participate in the low income home energy assistance program or weatherization assistance program administered by the energy policy council. The written statement shall also state that the customer is advised to contact the public utility to settle any of the customer's complaints with the public utility, but if a complaint is not settled to the customer's satisfaction, the customer may file the complaint with the commerce commission. The written statement shall include the address and phone number of the commerce commission. The commerce commission shall establish rules requiring that the written notice contain such additional information as it deems necessary and appropriate.

3. The commerce commission shall establish rules which shall be uniform with respect to all public utilities furnishing gas or electricity relating to disconnection of service.

4. A public utility which violates a provision of this section relating to the disconnection of service or which violates a rule of the commerce

Page 21

commission relating to disconnection of service is subject to civil penalties imposed by the commission under section 476.35.

5. The commerce commission shall establish rules which shall be uniform with respect to all public utilities furnishing gas or electricty relating to deposits which may be required by the public utility for the initiation or reinstatement of service. The deposit for a residence which has previously received service shall not be greater than the highest billing of service for two consecutive months to the residence in the previous twelve-month period. This subsection does not prohibit a public utility from requiring payment of a customer's past due account with the utility prior to reinstatement of service.

Sec. 31. Section 476.33, subsection 1, Code 1983, is amended to read as follows:

1. The commission shall adopt rules pursuant to chapter 17A to provide for the completion of proceedings under section 476.3 within ~~one hundred eighty days~~ ten months after the date of the filing of a complaint or petition under section 476.3, subsection 2, and to provide for the completion of proceedings under section 476.6 within ten months after the date of filing of the new or changed rates, charges, schedules or regulations under that section. These rules shall include reasonable time limitations for the submission or completion of comments and testimony, and exhibits, briefs and hearings, and may provide for the granting of additional time upon the request of a party to the proceeding or commission staff for good cause shown.

Sec. 32. Section 476.33, subsection 3, Code 1983, is amended to read as follows:

3. If in a proceeding under section 476.6 additional time is granted to a party or commission staff under subsection 1, the commission may extend the ten-month period during which a utility is prohibited from placing its entire rate increase request into effect under section 476.6, but an extension shall not exceed ~~one-half of~~ the aggregate amount of all additional time granted under subsection 1.

Sec. 33. NEW SECTION. 476.35 CIVIL PENALTY.

A public utility which willfully violates a provision of this chapter, a rule adopted by the commission, or a provision of an order lawfully issued by the commission, is subject to a civil penalty, which may be levied by the commission, of not more than one hundred dollars per violation or one thousand dollars

Page 22

per day of a continuing violation, whichever is greater. Civil penalties collected pursuant to this section shall be forwarded by the executive secretary of the commission to the treasurer of state to be credited to the energy research and development fund and to be used only for the low income home energy assistance program and the weatherization assistance program administered by the energy policy council. Penalties paid by a rate-regulated public utility pursuant to this section shall be excluded from the utility's costs when determining the utility's revenue requirement, and shall not be included either directly or indirectly in the utility's rates or charges to customers.

Sec. 34. NEW SECTION. 476.36 MANAGEMENT EFFICIENCY. It is the policy of this state that a public utility shall operate in an efficient manner. The commission may adopt rules establishing a method for an analysis of a utility's management efficiency.

Sec. 35. NEW SECTION. 476.37 EXCESS CAPACITY. The commerce commission shall not allow a return on common equity on that portion of a public utility's electric generating capacity which is determined to be excess electric generating capacity. Excess electric generating capacity is that portion of the public utility's electric generating capacity which exceeds the amount reasonably necessary to provide adequate and reliable service as determined by the commission.

Electric generating capacity sold pursuant to the terms of contracts entered into between June 28, 1978 and June 30, 1978 for power delivered on or before May 1, 1983 to May 1, 1993, shall not be included in the determination of excess electric generating capacity.

Electric generating capacity purchased from qualifying cogeneration and small power production facilities shall not be included in the determination of excess electric generating capacity.

Sec. 36. NEW SECTION. 476.38 DELAYED PAYMENT CHARGES. A public utility shall not apply delayed payment charges on a customer's account if the scheduled payment was made by the customer within twenty days from the date the billing was sent to the customer.

Sec. 37. NEW SECTION. 476.39 COMPLAINT OF ANTITRUST ACTIVITIES. An application for new or changed rates, charges, schedules or regulations filed under this chapter, or an application for a certificate or an amendment to a certificate submitted under

chapter 476A, by an electric transmission line utility or a gas pipeline utility or a subsidiary of either shall not be approved by the commerce commission if, upon complaint by an Iowa electric or gas utility, the commission finds activities which create or maintain a situation inconsistent with antitrust laws and the policies which underlie them. The commission may grant the rate or facility certification request once it determines that those activities which led to the antitrust complaint have been eliminated. However, this subsection does not apply to an application for new or changed rates, charges, schedules or regulations after the expiration of the ten-month limitation and applicable extensions.

Sec. 38. Section 476A.6, Code 1983, is amended to read as follows:

476A.6 DECISION—CRITERIA. The commission shall render a decision on the application in an expeditious manner. A certificate shall be issued to the applicant if the commission finds ~~that~~ all of the following:

1. The services and operations resulting from the construction of the facility are required by the present or future public convenience, use and necessity; ~~and~~.

2. The applicant is willing to perform such services and construct, maintain, and operate the facility pursuant to the provisions of the certificate and this chapter; ~~and~~.

3. The construction, maintenance, and operation of the facility will cause minimum adverse land use, environmental, and aesthetic impact and are consonant with reasonable utilization of air, land and water resources for beneficial purposes considering available technology and the economics of available alternatives.

4. The applicant has in effect a comprehensive energy management program designed to reduce peak loads and to increase efficiency of use of energy by all classes of customers of the utility, and the facility in the application is necessary notwithstanding the existence of the comprehensive energy management program. As used in this subsection, a "comprehensive energy management program" includes at a minimum the following:

a. Establishment of load management and interruptible service programs, where cost effective.

b. Development of wheeling agreements and other energy sharing agreements, where cost effective with utilities that have available capacity.

c. Establishment of cost-effective energy conservation and renewable energy services and

Page 24

programs.

d. Compliance with commission rules on energy management procedures.

5. The applicant has considered all feasible alternatives to the proposed facility including nongeneration alternatives; has ranked those alternatives by cost; has implemented the least-cost alternatives first; and the facility in the application is necessary notwithstanding the implementation of these alternatives.

Sec. 39. NEW SECTION. 476A.15 ENERGY SHARING AGREEMENTS.

Before a certificate is issued under section 476A.6, the public utility shall demonstrate to the commission that the utility has considered sources for long term electric supply from either purchase of electricity or investment in facilities owned by other utilities.

Sec. 40. Section 478.7, Code 1983, is amended to read as follows:

478.7 FORM OF FRANCHISE. The ~~commerce~~ general counsel for the Iowa state commerce commission shall prepare a blank form of franchise ~~for such purposes~~, which shall provide space for a general description of the improvement authorized ~~thereby~~, the name and address of the person or corporation to whom granted, the general terms and conditions upon which ~~it~~ the franchise is granted, and ~~such~~ other things as ~~may be~~ necessary. This blank form shall be filled out and signed by the ~~chairman~~ chairperson of the commission which grants the franchise, and the official seal shall be attached. ~~Such~~ The franchise ~~shall be~~ is subject to ~~such~~ regulations and restrictions as the general assembly ~~from time to time may prescribe~~ prescribes, and to ~~such~~ rules, not inconsistent with statutes, as the Iowa state commerce commission may establish ~~from time to time~~.

Sec. 41. Section 478.29, Code 1983, is amended to read as follows:

478.29 PENALTY—ENFORCEMENT. ~~Any~~ A person ~~or corporation~~ who ~~shall string~~ strings or ~~maintain any~~ maintains wire across ~~any~~ a railroad track in this state at a different height or in a different manner from that prescribed by the Iowa state commerce commission shall forfeit and pay to the state ~~the sum of~~ one hundred dollars for each separate period of ten days during which ~~such~~ the wire is so maintained. ~~Such~~ The forfeiture shall be recovered in a civil action in the name of the state by the ~~commerce~~ general counsel for the Iowa state commerce commission, or by the county attorney of the county

Page 25

in which ~~such~~ the wire is situated, at the request of the state commerce commission.

Sec. 42. Chapter 602, Code 1983, is amended by adding the following new section as section 602.23:

NEW SECTION. 602.23 PUBLIC UTILITY RATE CASES.

1. The supreme court shall designate at least one district judge in each judicial district in the state who shall be subject to assignment by the chief justice to preside as necessary in this state in judicial review proceedings referred to in section 476.13, subsection 1. Designations shall be made on the basis of qualifications and experience, and shall be for the purpose of developing a pool of district judges who will have the knowledge and experience needed to expedite judicial review proceedings in those cases.

2. Upon receipt of notice from a district court clerk under section 476.13, subsection 2, the chief justice of the supreme court shall assign one of the district judges selected under subsection 1 to preside at the judicial review proceeding under section 476.13.

Sec. 43. 1981 Iowa Acts, chapter 9, section 7, subsections 6 and 7, are amended to read as follows:

6. The following are range four positions: superintendent of banking, director of the Iowa beer and liquor control department, ~~chairperson and members of the Iowa state commerce commission,~~ director of the state conservation commission, director of the Iowa development commission, director of the educational radio and television facility board, director of the Iowa department of job service, director of the department of general services, commissioner of health, director of the office for planning and programming, and commissioner of public safety.

7. The following are range five positions: state comptroller, superintendent of public instruction, executive secretary of the state board of regents, chairperson and members of the Iowa state commerce commission, consumer advocate, director of the department of revenue, commissioner of social services, and director of the department of transportation.

Sec. 44. The legislative council shall authorize an interim study by a joint subcommittee composed of members of the senate committee on commerce and the house committee on small business and commerce to study the areas of utility rate regulation affected by the passage of House File 312. The study committee shall report its findings and recommendations with legislative bill drafts required to implement its

Page 26

recommendations, to the respective standing committees, the legislative council, and the general assembly.

Sec. 45. In order to implement sections of this Act creating the office of consumer advocate and the general counsel for the Iowa state commerce commission, the commerce counsel appointed by the Iowa state commerce commission in 1983 and approved by the senate is the consumer advocate commencing July 1, 1983 and the consumer advocate's term shall expire on April 30, 1985. If a vacancy occurs in the office of the consumer advocate after July 1, 1983, the governor shall appoint the consumer advocate to serve the remaining unexpired term subject to sections 475.1 and 475.2. The commerce counsel's assistants employed by the counsel on June 30, 1983, are the assistants to the consumer advocate commencing July 1, 1983. The office space, supplies, equipment and support staff provided to the office of commerce counsel on June 30, 1983, are the same space, supplies, equipment and support staff provided to the office of consumer advocate on July 1, 1983.

Sec. 46. In order to implement section 475A.7 created under this Act, the governor shall appoint four members to the consumer advisory panel whose terms shall commence upon appointment and shall expire April 30, 1985. The governor shall also appoint five members to the consumer advisory panel whose terms shall commence upon appointment and shall expire April 30, 1987.

Sec. 47. On July 1, 1983, the participation of the office of commerce counsel in proceedings pending before the commission shall end and the office of consumer advocate shall continue to participate in place of the office of commerce counsel. All rights of participation of the office of commerce counsel shall be transferred to the office of consumer advocate.

Sec. 48. On July 1, 1983, for all pending proceedings before the commission, the general counsel of the commission shall assume the duties of rendering legal advice to the commission. The general counsel shall represent the commission in all court appeals pending July 1, 1983, with assistance from the consumer advocate if requested.

Sec. 49. On or after the effective date of this Act, the Iowa state commerce commission shall not approve an application for a new or changed rate, charge, schedule, or regulation filed with the commerce commission by a public utility furnishing electricity

Page 27

which includes as part of the rate base the costs of an electrical generating facility which does not go on line until after the effective date of this Act, unless the new or changed rate, charge, schedule, or regulation complies with section 476.37 created under this Act.

Sec. 50. Except as provided under section 49 of this Act, this Act applies to complaints or petitions filed with the Iowa state commerce commission under section 476.3, and to applications for new or changed rates, charges, schedules, or regulations filed with the Iowa state commerce commission under section 476.6, which are filed on or after the effective date of this Act.

Sec. 51. Chapter 475, Code 1983, is repealed."

Chiodo of Polk offered the following amendment H—3871, to the Senate amendment H—3716, filed from the floor by Chiodo, Parker, Sturgeon, Holveck, Gronstal, Schroeder, McIntee and Branstad. Division was requested as follows:

H—3871

Amend the Senate amendment, H—3716, to House File 312 as amended, passed, and reprinted by the House, as follows:

H—3871A

1. Page 2, by inserting after line 34 the following:

"Sec. . Section 364.2, subsection 4, Code 1983, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. If a city franchise fee is assessed to customers of a franchise, the fee shall not be assessed to the city as a customer."

2. Page 5, line 44, by striking the words "commerce counsel" and inserting in lieu thereof the words "general counsel of the commerce commission".

3. Page 5, line 46, by striking the words "the commerce counsel" and inserting in lieu thereof the words "their general counsel".

4. Page 6, line 5, by striking the words "correspondence and".

5. Page 7, line 11, by inserting after the word "large." the following: "No more than five members shall belong to the same political party as provided in section 69.16."

6. Page 9, line 27, by inserting after the word "complaint" the words "or petition".

7. Page 9, line 31, by inserting after the word "complaint" the words "or petition".

8. Page 11, line 23, by inserting after the word "decision." the following: "At the conclusion of the utility's presentation of comments, testimony, exhibits, or briefs the utility shall submit to the commission a listing of the utility's actual litigation expenses in the proceeding."

H–3871B

9. By striking page 19, line 22 through page 20, line 11, and inserting in lieu thereof the following:

"3. Public utilities subject to rate regulation are prohibited from including either directly or indirectly in their charges or rates to customers the costs of advertising other than advertising which is required by the commerce commission or by other state or federal regulation. However, this subsection does not apply to a utility's advertising which is deemed by the commission to be necessary for the utility's customers and which is approved by the commission."

H–3871C

10. Page 21, line 11, by striking the words "two consecutive months" and inserting in lieu thereof the words "one month".

H–3871D

11. Page 22, by striking lines 15 through 19 and inserting in lieu thereof the following:

"Sec. . NEW SECTION. 476.36 MANAGEMENT

Page 2

EFFICIENCY. It is the policy of this state that a public utility shall operate in an efficient manner. If the commission determines in the course of a proceeding conducted under section 476.3 or 476.6 that a utility is operating in an inefficient manner, or is not exercising ordinary, prudent management, or in comparison with other utilities in the state the commission determines that the utility is performing in a less beneficial manner than other utilities, the commission may reduce the level of profit or adjust the revenue requirement for the

utility to the extent the commission believes appropriate to provide incentives to the utility to correct its inefficient operation. If the commission determines in the course of a proceeding conducted under section 476.3 or 476.6 that a utility is operating in such an extraordinarily efficient manner that tangible financial benefits result to the ratepayer, the commission may increase the level of profit or adjust the revenue requirement for the utility. The commission shall adopt rules for determining the level of profit or the revenue requirement adjustment that would be appropriate.

The commission shall also adopt rules establishing a methodology for an analysis of a utility's management efficiency."

H–3871E

12. Page 22, by inserting after line 20 the following: "It is the intent of the general assembly of the state of Iowa to provide for the development of a fair resolution concerning the allocation of costs associated with excess electric generating capacity. It is the policy of this state that it is in the public interest that public utilities subject to rate regulation, at a minimum, be prohibited from including either directly or indirectly in their charges or rates to customers the return on common equity associated with excess electric generating capacity."

H–3871F

13. Page 22, line 45, by inserting after the word "customer." the following: "Delayed payment charges on a customer's account shall not exceed one and one-half percent of the past-due amount."

H–3871A

14. Renumber sections and internal references as necessary.

On motion by Chiodo of Polk, amendment H–3871A was adopted.

On motion by Chiodo of Polk, amendment H–3871B was adopted.

On motion by Chiodo of Polk, amendment H–3871C was adopted.

Chiodo of Polk moved the adoption of amendment H—3871D, to the Senate amendment H—3716.

Roll call was requested by Bennett of Ida and Branstad of Winnebago.

On the question "Shall amendment H—3871D, to the Senate amendment H—3716, be adopted?"

The ayes were, 51:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Connolly	Connors
Copenhaver	Fey	Groninga	Gronstal
Groth	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Koenigs	Lloyd-Jones	Lonergan	McIntee
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 48:

Anderson	Bennett	Black	Branstad
Clark	Cochran	Cooper	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fogarty	Grandia	Gruhn
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Knapp
Krewson	Lageschulte	Maulsby	McKean
Menke	Mullins	Oxley	Paulin
Pellett	Renken	Rensink	Schnekloth
Schroeder	Skow	Stromer	Stueland
Sullivan	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

Absent of not voting, 1:

Royer

Amendment H—3871D was adopted.

Bennett of Ida offered the following amendment H—3872, to amendment H—3871E, (to the Senate amendment H—3716) filed by him from the floor and moved its adoption:

H—3872

Amend the Chiodo amendment, H—3871, to the Senate amendment, H—3716, to House File 312 as amended, passed and reprinted by the House, as follows:

1. Page 2, line 34, by striking the words "at a minimum,".

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 51, nays 46.

Amendment H—3872 was adopted.

The House stood at ease at 3:55 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—3871E, as amended, to the Senate amendment H—3716 at 4:45 p.m., Speaker Avenson in the chair.

Chiodo of Polk asked and received unanimous consent to temporarily defer action on amendment H—3871E, as amended.

Schnekloth of Scott offered the following amendment H—3874, to amendment H—3871F, (to the Senate amendment H—3716) filed by him from the floor and moved its adoption:

H—3874

Amend amendment H—3871 to Senate amendment H—3716 to House File 312 as amended, passed, and reprinted by the House, as follows:

1. Page 2, line 41, by inserting after the word "percent" the words "per month".

Amendment H—3874 was adopted.

On motion by Chiodo of Polk, amendment H—3871F, as amended, was adopted.

Koenigs of Mitchell offered the following amendment H—3760, to the Senate amendment H—3716, filed by him and moved its adoption:

H—3760

Amend the Senate amendment, H—3716, to House File 312 as amended, passed, and reprinted by the House, as follows:

1. Page 6, by inserting after line 8 the following:

"d. Financial statements which are confidential under section 542.16 or 543.24."

2. By relettering paragraphs, if necessary.

Amendment H—3760 was adopted.

Chiodo of Polk asked for unanimous consent to reconsider the vote by which amendment H—3872 was adopted by the House.

Objection was raised.

Chiodo of Polk moved to reconsider the vote by which amendment H—3872, to amendment H—3871E, (to the Senate amendment H—3716) was adopted by the House on April 27, 1983.

Roll call was requested by Stromer of Hancock and Schroeder of Pottawattamie.

On the question "Shall amendment H—3872 be reconsidered?"

The ayes were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud

Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

Absent or not voting, 3:

Halvorson, R. N.	O'Kane	Royer

The motion prevailed and the House reconsidered amendment H—3872.

Bennett of Ida moved the adoption of amendment H—3872, to amendment H—3871E (to the Senate amendment H—3716).

Roll call was requested by Sturgeon of Woodbury and Chiodo of Polk.

On the question "Shall amendment H—3872 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Schnekloth
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 4:

Clark	O'Kane	Royer	Schroeder

Amendment H—3872 lost.

Chiodo of Polk offered the following amendment H—3875, to amendment H—3871E (to the Senate amendment H—3716) filed by him from the floor and moved its adoption:

H—3875

Amend the Chiodo amendment, H—3871, to the Senate amendment, H—3716, to House File 312, as amended, passed, and reprinted by the House, as follows:

1. Page 2, line 37, by inserting after the word "capacity" the following: ", however this shall not apply to rural electric cooperatives".

Amendment H—3875 was adopted.

Chiodo of Polk moved the adoption of amendment H—3871E, as amended, to the Senate amendment H—3716.

Roll call was requested by Chiodo of Polk and Sturgeon of Woodbury.

On the question "Shall amendment H—3871E be adopted?"

The ayes were, 63:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Krewson	Maulsby	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

Absent or not voting, 1:

Royer

Amendment H—3871E, as amended, was adopted.

On motion by Chiodo of Polk, the House concurred in the Senate amendment H—3716, 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. 312)

The ayes were, 89:

Arnould	Baxter	Bennett	Black

Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Rensink	Rosenberg
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 10:

Anderson	Corey	Daggett	Handorf
Maulsby	Menke	Renken	Schnekloth
Tofte	Welden		

Absent or not voting, 1:

Royer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 312)

Norland of Worth asked and received unanimous consent to immediately message House File 312 to the Senate.

SENATE AMENDMENT CONSIDERED

Chiodo of Polk called up for consideration **House File 514**, a bill for an act amending the Iowa uniform securities Act, and providing a civil penalty, amended by the Senate amendment H–3843 as follows:

H–3843

Amend House File 514, as amended, passed and reprinted by the House as follows:

1. Page 1, line 31, by striking the words "or deny".

2. Page 2, line 33, by inserting after the word "states" the words "and provides criteria to determine and assure the suitability of investors".

3. Page 3, by inserting after line 6 the following:

"Sec. . Section 502.209, subsection 1, paragraph h, Code 1983, is amended to read as follows:

h. The financial condition of the issuer affects or would affect the soundness of the securities; ~~or~~, except that applications for registration of securities by companies which are in the development stage shall not be denied based solely upon the financial condition of the company, unless the administrator determines that the company is likely to fail within one year from the effective date of the offering, assuming successful completion of the offering. For purposes of this rule, a "development stage company" is defined as a company which has been in existence for five years or less."

4. Page 3, by striking lines 7 through 18 and inserting in lieu thereof the following:

"Sec. . Section 502.209, subsection 1, paragraph e, Code 1983, is amended to read as follows:

e. The issuance or sale of the securities ~~is or would be unfair or inequitable to purchasers or~~ has worked or tended to work a fraud upon purchasers or would so operate;"

5. Page 7, by striking lines 21 through 23.

6. Renumber as necessary.

Connors of Polk in the chair at 5:34 p.m.

Holveck of Polk offered amendment H–3865, to the Senate amendment H–3843, filed from the floor by Holveck, McKean, Rosenberg, Krewson, Chapman, Clark and Hammond and requested division as follows:

H–3865

Amend the Senate amendment H–3843, to House File 514 as amended, passed, and reprinted by the House, as follows:

H—3865A

1. Page 1, by striking lines 8 through 30.

H—3865B

2. Page 1, by inserting before line 31 the following:

" . Page 7, by inserting after line 20 the following:

"Sec. . The legislative council shall establish a study committee consisting of members of the house committee on small business and commerce and the senate committee on small business and economic development and both political parties for the purpose of studying the securities division of the department of insurance to determine whether the current merit review system of proposed registration of securities shall be modified or eliminated. The study committee shall make a report to the legislative council and the general assembly meeting in the year 1984 containing its findings and recommendations. The report shall be accompanied by bill drafts designed to carry out the recommendations of the study committee.

Sec. . Section 8 of this Act is repealed on July 1, 1985." "

3. Renumber as necessary.

Holveck of Polk moved the adoption of amendment H—3865A, to the Senate amendment H—3843.

Roll call was requested by Holveck of Polk and Hammond of Story.

Rule 76 was invoked.

On the question "Shall amendment H—3865A be adopted?"

The ayes were, 52:

Anderson	Blanshan	Brammer	Buhr
Carl	Carter	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Doderer	Fogarty
Grandia	Gruhn	Hammond	Handorf
Hanson	Haverland	Hermann	Holveck
Hummel	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Maulsby	McKean

Menke	Miller	Muhlbauer	Ollie
Osterberg	Paulin	Pavich	Peick
Pellett	Poncy	Rensink	Rosenberg
Stueland	Swearingen	Tabor	Van Camp
Van Gerpen	Van Maanen	Welden	Woods

The nays were, 46:

Arnould	Avenson	Baxter	Bennett
Black	Branstad	Carpenter	Chiodo
Clark	Diemer	Fey	Groninga
Gronstal	Groth	Halvorson, R. A.	Halvorson, R. N.
Harbor	Hoffmann-Bright	Hughes	Jay
Jochum	Lonergan	McIntee	Mullins
Norland	O'Kane	Oxley	Parker
Renaud	Renken	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Tofte	Torrence	Varn
Zimmerman	Mr. Speaker (Connors)		

Absent or not voting, 2:

Chapman	Royer

Amendment H—3865A was adopted.

Lonergan of Boone rose on a point of order that amendment H—3865B was not germane.

The Speaker ruled the point not well taken and amendment H—3865B germane.

Holveck of Polk moved the adoption of amendment H—3865B, to the Senate amendment H—3843.

Amendment H—3865B lost.

On motion by Chiodo of Polk, the House concurred in the Senate amendment H—3843, 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. 514)

The ayes were, 96:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 2:

O'Kane	Parker

Absent or not voting, 2:

Royer	Stromer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER
(House File 514)

I move to reconsider the vote by which House File 514 passed the House on April 27, 1983.

CHIODO of Polk

(Senate amendment H—3843 to House File 514)

I move to reconsider the vote by which the House concurred in the Senate amendment H—3843 to House File 514 on April 27, 1983.

SWEARINGEN of Keokuk

(Amendment H—3865A to House File 514)

I move to reconsider the vote by which amendment H—3865A to the Senate amendment H—3843 to House File 514 was adopted by the House on April 27, 1983.

SWEARINGEN of Keokuk

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 1983, amended the House amendment, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 457, a bill for an act relating to the campaign finance disclosure commission.

K. MARIE THAYER, Secretary

PRESENTATION OF VISITORS

Black of Jasper presented to the House Foreign Exchange Student, Ahmed Wahdam, from Cairo, Egypt. He is a student at Lynnville-Sully High School.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-one fifth and sixth grade students from Meservey-Thornton Elementary School, Meservey, accompanied by Mrs. Langlitz, Mr. Frank and Mrs. Pals. By Norland of Worth

Forty fifth grade students from Beaman-Conrad-Liscomb Elementary School, Conrad, accompanied by Mr. John Ehn and Mrs. Pieper. By Renken of Grundy.

Twenty-two sixth grade students from Klemme Elementary School, Klemme, accompanied by Gladys Wessels. By Stromer of Hancock.

Twenty-seven sixth grade students from Rolfe Middle School, Rolfe, accompanied by Evelyn Baker. By Mullins of Kossuth.

Twenty-eight eighth grade students from St. Augustin School, Des Moines, accompanied by Mrs. Soesbe. By Carpenter of Polk.

Forty eleventh grade students from Corwith-Wesley High School, Corwith, accompanied by Mike Pearson. By Branstad of Winnebago and Mullins of Kossuth.

Forty-two fifth grade students from Nodaway Elementary School, Nodaway, accompanied by Mrs. Jensen and Mrs. Guffy. By Daggett of Taylor and Harbor of Mills.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Mrs. McMorrow. By Jay of Appanoose.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 27, 1983.

COMMITTEE ON FINANCE

Committee Bill, (Formerly Study Bill 339), relating to lotteries by providing for a state lottery, an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty for their commission, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 26, 1983.

Committee Bill, (Formerly Study Bill 340), relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, and to changes in Iowa's unemployment law to conform with federal law.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 26, 1983.

COMMITTEE ON WAYS AND MEANS

House File 504, a bill for an act providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer.

Committee Action: **Failed to Pass** April 26, 1983.

Committee Bill (Formerly Study Bill 9), relating to the state inheritance tax and making coordinating amendments.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 26, 1983.

AMENDMENTS FILED

H–3862	S.F.	368	Senate Amendment
H–3869	S.J.R.	9	Doderer of Johnson
H–3870	S.F.	380	Osterberg of Linn
H–3873	S.F.	457	Senate Amendment
H–3876	S.F.	511	Cooper of Lucas

On motion by Norland of Worth, the House adjourned at 6:02 p.m., until 9:00 a.m., Thursday, April 28, 1983.

JOURNAL OF THE HOUSE

One Hundred Ninth Calendar Day—Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 28, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Ron Bryan, pastor of the Pleasant Plain Friends Church of Brighton.

The Journal of Wednesday, April 27, 1983 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. M. U. Broers, Schleswig, Iowa.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Fogarty of Palo Alto, from fifty-five constituents.

By Harbor of Mills, from one hundred eighty-three residents of Montgomery County.

By Miller of Woodbury, from one hundred sixty Woodbury County constituents.

By Muhlbauer of Crawford, from three hundred sixty residents of Crawford and Shelby Counties.

By Peick of Linn, from fifty-five constituents.

By Running of Linn, from forty-six constituents.

By Stromer of Hancock, from fifty-five constituents of the 17th District.

By Tabor of Jackson, from four hundred constituents.

INTRODUCTION OF BILL

House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

Read first time and referred to committee on **finance.**

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, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 557, a bill for an act relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to insure or guarantee loans made to certain farmers.

Also: That the Senate has on April 26, 1983, 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 302, a bill for an act relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections.

Also: That the Senate has on April 27, 1983, 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 503, a bill for an act relating to inmates in correctional facilities.

K. MARIE THAYER, Secretary

PRESENTATION TO RONALD McDONALD HOUSE

Walter Cunningham, House Page, and Ric Turnquist, Senate Page, escorted to the front of the well Steven Walker, President of the Ronald McDonald House. A check for $1,500 was presented to the Ronald McDonald House on behalf of the Pages from proceeds received from the Pages Ball held on March 16, 1983.

On motion by Norland of Worth, the House was recessed at 9:25 a.m., until 10:30 a.m.

The House reconvened, Speaker Avenson in the chair.

The House stood at ease at 10:53 a.m., until the fall of the gavel.

The House resumed session at 11:50 a.m., Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 11:52 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

McKean of Jones, until his arrival, on request of Mullins of Kossuth.

SENATE AMENDMENT CONSIDERED

Knapp of Dubuque called up for consideration **Senate File 503**, a bill for an act relating to inmates in correctional facilities, amended by the House, further amended by the following Senate amendment H–3877 to the House amendment:

H–3877

Amend House amendment S–3684 to Senate File 503 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking line 46 through page 3, line 14, and inserting in lieu thereof the following:

" "Sec. . Section 804.21, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. When the court is not in session, a person arrested and placed in jail may be released on the person's own recognizance with or without other conditions, by the verbal or written order of a judge or magistrate. The verbal order may be communicated by telephone. The judge or magistrate may issue such

order of release only upon the request of an attorney or person believed by the judge or magistrate to be reliable.

Sec. . Section 805.1, Code 1983, as amended by 1983 Iowa Acts, Senate File 334, section 5, is amended by striking the section and inserting in lieu thereof the following:

805.1 WHEN POLICE CITATION MAY ISSUE.

1. Except for an offense for which an accused would not be eligible for bail under section 811.1, a peace officer having grounds to make an arrest may issue a citation in lieu of making an arrest without a warrant or, if a warrantless arrest has been made, a citation may be issued in lieu of continued custody.

2. The citation procedure for traffic and other violations designated as scheduled violations is governed by sections 805.6 through 805.15.

3. a. State and local law enforcement agencies in the state of Iowa may cooperate to formulate uniform guidelines that will provide for the maximum possible use of citations in lieu of arrest and in lieu of continued custody for offenses for which citations are authorized. These guidelines shall be submitted to the Iowa law enforcement academy council for review. The Iowa law enforcement academy council shall then submit recommendations to the general assembly no later than January 1, 1984.

b. Factors to be considered by the agencies in formulating the guidelines relating to the issuance of citations for simple misdemeanors not governed by subsection 2, shall include but shall not be limited to all of the following:

(1) Whether a person refuses or fails to produce means for a satisfactory identification.

(2) Whether a person refuses to sign the citation.

(3) Whether detention appears reasonably necessary in order to halt a continuing offense or disturbance

Page 2

or to prevent harm to a person or persons.

(4) Whether a person appears to be under the influence of intoxicants or drugs and no one is available to take custody of the person and be responsible for the person's safety.

(5) Whether a person has insufficient ties to the jurisdiction to assure that the person will appear or it reasonably appears that there is a substantial likelihood that the person will refuse to appear in response to a citation.

(6) Whether a person has previously failed to

appear in response to a citation or after release on pretrial release guidelines.

c. Additional factors to be considered in the formulation of guidelines relating to the issuance of citations for other offenses for which citations are authorized shall include but shall not be limited to all of the following concerning the person:

(1) Place and length of residence.

(2) Family relationships.

(3) References.

(4) Present and past employment.

(5) Criminal record.

(6) Nature and circumstances of the alleged offense.

(7) Other facts relevant to the likelihood of the person's response to a citation.

4. The issuance of a citation in lieu of arrest or in lieu of continued custody does not affect the officer's authority to conduct an otherwise lawful search. The issuance of a citation in lieu of arrest shall be deemed an arrest for the purpose of the speedy indictment requirements of R.Cr.P. section 27, subsection 2, paragraph a, Ia. Ct. Rules, 2d ed.

5. Even if a citation is issued, the officer may take the cited person to an appropriate medical facility if it reasonably appears that the person needs care.

6. When a citation is not issued for an offense for which a citation is authorized, the arrested person may be released pending initial appearance on bail or on other conditions determined by pretrial release guidelines. When an arrested person furnishes bail, the officer then in charge of the place of detention shall secure it in safekeeping and shall see that it is forwarded to the office of the clerk of court during the clerk's next regular business day.

7. When the offense is one for which a citation is not authorized, the person does not qualify for

Page 3

release under pretrial release guidelines and the person cannot be released under a bond schedule, the person may be released on bail or otherwise only after initial appearance before a magistrate as provided in chapter 804 and the rules of criminal procedure." "

On motion by Schroeder of Pottawattamie, the House concurred in the Senate amendment H—3877 to the House amendment.

Knapp of Dubuque 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. 503)

The ayes were, 82:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Hughes	Hummel
Jay	Jochum	Koenigs	Krewson
Lageschulte	Lonergan	Maulsby	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Pellett
Poncy	Renaud	Renken	Rensink
Schnekloth	Schroeder	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, 11:

Chapman	Chiodo	Holveck	Knapp
Lloyd-Jones	Peick	Rosenberg	Running
Sherzan	Tabor	Woods	

Absent or not voting, 7:

Doderer	Hammond	McIntee	McKean
Royer	Swartz	Tofte	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 503)

Norland of Worth asked and received unanimous consent to immediately message Senate File 503 to the Senate.

RULES SUSPENDED

Norland of Worth asked for unanimous consent to suspend the rules for the immediate consideration of House File 637.

Objection was raised.

Norland of Worth moved that the rules be suspended for the immediate consideration of House File 637.

A non-record roll call was requested.

The ayes were 55, nays 33.

The motion prevailed.

The House stood at ease at 1:26 p.m., until the fall of the gavel.

The House resumed session at 2:44 p.m., Speaker Avenson in the chair.

CONSIDERATION OF BILL

House File 637, a bill for an act relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, and to changes in Iowa's unemployment law to conform with federal law, was taken up for consideration.

Halvorson of Clayton offered the following amendment H–3891 filed from the floor by Halvorson of Clayton, Corey and Menke:

H–3891

Amend House File 637 as follows:
1. By striking everything after the enacting clause and inserting in lieu thereof the following:
"Section 1. Section 96.3, subsection 3, Code 1983, is amended to read as follows:
3. PARTIAL UNEMPLOYMENT. An individual who is partially unemployed in any week as defined in section 96.19, subsection 9, paragraph "b", and who meets the conditions of eligibility for benefits shall be paid with respect to that week an amount equal to the individual's weekly benefit amount less that part

of wages payable to the individual with respect to that week in excess of one-fourth of the individual's weekly benefit amount. ~~Such~~ The benefits shall be rounded to the ~~higher~~ lower multiple of one dollar.

Sec. 2. Section 96.3, subsection 4, unnumbered paragraph 1, Code 1983, is amended to read as follows:

With respect to benefit years beginning on or after July 1, 1979, an eligible individual's weekly benefit amount for a week of total unemployment shall be an amount equal to the following fractions of the individual's total wages in insured work paid during that quarter of the individual's base period in which such total wages were highest; the director shall determine annually a maximum weekly benefit amount equal to the following percentages, to vary with the number of dependents, of the statewide average weekly wage paid to employees in insured work which shall be effective the first day of the first full week in July:

If the number of dependents is:	The weekly benefit amount shall equal the following fraction of high quarter wages:	Subject to the following maximum percentage of the statewide average weekly wage:
0	1/23	58%
1	1/22	60%
2	1/21	62%
3	1/20	65%
4 or more	1/19	70%

The maximum weekly benefit amount, if not a multiple of one dollar shall be rounded to the ~~higher~~ lower multiple of one dollar. ~~However, until such time as fifty-eight percent of the statewide average weekly wage exceeds one hundred thirty-three dollars, an individual with zero or one dependent who would be entitled to the maximum weekly benefit amount if the individual's weekly benefit amount were computed by using one-twenty-first of the individual's high quarter wages, subject to a maximum percentage of sixty-two~~

Page 2

~~percent of the statewide average weekly wage, the individual shall receive the maximum weekly benefit amount of sixty-two percent of the statewide average weekly wage.~~ As used in this section "dependent" means dependent as defined in section 422.12, subsection 1, paragraph "c", as if the individual claimant was a taxpayer, except that an individual claimant's nonworking spouse ~~shall be deemed to be~~ is a dependent under this section. "Nonworking spouse"

means a spouse who does not earn more than one hundred twenty dollars in gross wages in one week.

Sec. 3. Notwithstanding the annual recomputation of the statewide average weekly wage required by section 96.3, subsection 4, the maximum weekly benefit amounts for benefit claims effectively filed during the period beginning July 3, 1983, and ending July 6, 1985, shall be determined using the statewide average weekly wage computed on the basis of wages reported during calendar year 1981.

Sec. 4. Section 96.3, subsection 5, Code 1983, is amended to read as follows:

5. DURATION OF BENEFITS. The maximum total amount of benefits payable to any eligible individual during any benefit year shall not exceed the total of the wage credits accrued to the individual's account during the individual's base period, or twenty-six times the individual's weekly benefit amount, whichever is the lesser. However, the maximum total amount of benefits payable during an individual's benefit year shall be decreased by five times the individual's weekly benefit amount if the individual is disqualified for benefits due to a discharge for misconduct, or due to voluntarily quitting work without good cause attributable to the employer, and requalifies for benefits pursuant to section 96.5, subsection 1, paragraph g, or subsection 2, paragraph a, except that the maximum total amount of benefits of an individual disqualified due to a voluntary quit shall not be decreased under this subsection below one times the individual's weekly benefit amount. The director shall maintain a separate account for each individual who earns wages in insured work. The director shall compute wage credits for each individual by crediting the individual's account with one-third of the wages for insured work paid to the individual during the individual's base period. However, the director shall recompute wage credits for an individual who is laid off due to the individual's employer going out of business at the factory, establishment, or other premises at which the individual was last employed,

Page 3

by crediting the individual's account with one-half, instead of one-third, of the wages for insured work paid to the individual during the individual's base period. Benefits paid to an eligible individual shall be charged against the base period wage credits in the individual's account which have not been previously charged hereunder, in the inverse chronological order

as the wages on which such wage credits are based were paid. However if the state ~~and national "off indicators" are~~ "off" indicator is in effect and if the individual is laid off due to the individual's employer going out of business at the factory, establishment, or other premises at which the individual was last employed, the maximum benefits payable shall be extended to thirty-nine times the individual's weekly benefit amount, but not to exceed the total of the wage credits accrued to the individual's account.

Sec. 5. Section 96.4, subsection 4, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The individual has been paid wages for insured work during the individual's base period in an amount at least one and ~~one-quarter~~ one-half times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work ~~of not less than four hundred dollars~~ totaling at least three and five-tenths percent of the statewide average annual wage for insured work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work ~~of not less than two hundred dollars~~ totaling at least one-half of the amount of wages required under this subsection in the calendar quarter of the base period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest.

Sec. 6. Section 96.4, subsection 5, paragraph c, Code 1983, is amended to read as follows:

c. With respect to services in any other capacity for an educational institution ~~(other than an institution of higher education) after December 31, 1977~~, benefits shall not be paid to an individual

Page 4

for any week of unemployment which begins during the period between two successive academic years, or terms if ~~such~~ the individual performs ~~such~~ the services in the first of such academic years or terms and there is a reasonable assurance that ~~such~~ the individual will perform such services in the second of such

academic years or terms. If benefits are denied to an individual for any week as a result of this paragraph and the individual is not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, the individual is entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this paragraph.

Sec. 7. Section 96.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. The individual has satisfied one one-week waiting period during the individual's benefit year. To satisfy the one-week waiting period, the individual, with respect to the week in question, must be unemployed, have filed a claim for benefits, and be eligible for benefits from this state, but must not have received benefits from this or another state, and must not be eligible for benefits from another state.

Sec. 8. Section 96.7, subsection 3, paragraph d, unnumbered paragraph 6, Code 1983, is amended to read as follows:

~~However, notwithstanding any other provision of this chapter relating to the applicable contribution rate table for a calendar year, the applicable contribution rate table for the calendar years 1982 and 1983 is table three unless the ratio of the current reserve fund ratio to the highest benefit cost rate on the rate computation date is 1.0 or higher.~~ During any rate year in which a rate table in rate tables three through nine is effective an employer assigned a contribution rate under this paragraph is not required to contribute to the unemployment compensation trust fund if the employer's percentage of excess is seven point five percent or greater for the rate year and the employer has not been charged with benefit payments for any time within the twenty-four calendar quarters immediately preceding the rate computation date for the rate year. If an employer is not required to contribute for a rate year to the trust fund under this unnumbered paragraph but would be required to contribute for the next rate year under this lettered

paragraph, the employer's contribution rate for the next rate year is either the employer's experience rate computed under this lettered paragraph or one and eight-tenths percent, whichever is less. For

subsequent years, either the employer is not required to contribute under this unnumbered paragraph or the employer's contribution rate is the employer's experience rate computed under this lettered paragraph.

Sec. 9. For calendar year 1983 the effective rate table shall be determined under section 96.7, subsection 3, paragraph d, unnumbered paragraphs 1 and 2, and subparagraphs (1) and (2). The effective rate table applies to all taxable wages for 1983. The Iowa department of job service shall issue new contribution rate notices for calendar year 1983 and shall collect the contributions due under this section as soon as possible after this Act takes effect.

Sec. 10. An employer which meets the zero contribution rate requirements for calendar year 1983 or 1984 of section 96.7, subsection 3, paragraph d, unnumbered paragraph 6 relating to percentage of excess and a record of no benefit charges, shall be assigned the zero contribution rate for that calendar year even though rate table one is effective for that calendar year, notwithstanding the requirement of the unnumbered paragraph which limits the zero contribution rate to calendar years in which a rate table in rate tables three through nine is effective. If an employer assigned a zero contribution rate for calendar year 1983 or 1984 is required to contribute for the next calendar year, the employer's rate for that next calendar year is limited to the maximum rate of one and eight-tenths percent.

Sec. 11. Section 96.7, subsection 15, unnumbered paragraph 1, Code 1983, is amended to read as follows:

If on the first day of the third month in any calendar quarter in 1983, the department has an outstanding balance of interest accrued on advance moneys received from the federal government for the payment of unemployment compensation benefits, or is projected to have an outstanding balance of accruing federal interest for that calendar quarter, the director shall collect a temporary emergency tax for that calendar quarter in 1983, retroactive to the beginning of that calendar quarter. The tax shall be set at the rate necessary to pay the interest accrued on the moneys advanced to the department by the federal government, and to pay any additional federal interest which will accrue for the remainder of that calendar quarter. However, the tax shall

Page 6

not be greater than ~~one tenth~~ twenty-seven one hundredths of one percent of taxable wages for that

calendar quarter. The tax shall apply to all employers except government entities, nonprofit organizations, and employers assigned a zero contribution rate for calendar year 1983. The director shall prescribe the manner in which the tax will be collected. Interest shall accrue on all unpaid tax under this subsection at the same rate as on regular contributions and shall be collectible in the same manner. The tax shall not affect the computation of regular contributions under this chapter.

Sec. 12. Section 96.19, subsection 6, paragraph g, subparagraph (6), unnumbered paragraph 2, Code 1983, is amended to read as follows:

Service performed by an individual ~~under the age of twenty-two years~~ who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if ~~such~~ the service is an integral part of ~~such~~ the program and ~~such~~ the institution has so certified to the employer, except that this subparagraph ~~shall~~ does not apply to service performed in a program established for or on behalf of an employer or group of employers.

Sec. 13. Section 96.19, subsection 6, paragraph g, Code 1983, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (7) Services performed by an individual, who is not treated as an employee, for a person who is not treated as an employer, under either of the following conditions:

(a) The services are performed by the individual as a salesperson and as a licensed real estate agent; substantially all of the remuneration for the services is directly related to sales or other output rather than to the number of hours worked; and the services are performed pursuant to a written contract between the individual and the person for whom the services are performed, which provides that the individual will not be treated as an employee with respect to the services for federal tax purposes.

(b) The services are performed by an individual engaged in the trade or business of selling or soliciting the sale of consumer products to any buyer

Page 7

on a buy-sell basis or a deposit-commission basis, for resale by the buyer or another person in the home or in a place other than a permanent retail establishment, or engaged in the trade or business of selling or soliciting the sale of consumer products in the home or in a place other than a permanent retail establishment; substantially all of the remuneration for the services is directly related to sales or other output rather than to the number of hours worked; and the services are performed pursuant to a written contract between the individual and the person for whom the services are performed, which provides that the individual will not be treated as an employee with respect to the services for federal tax purposes.

Sec. 14. For calendar years 1983 and 1984 a contributing employer, other than a governmental entity, is entitled to a credit against the employer's quarterly contribution of ten dollars per employee for the total number of employees in the reporting quarter in excess of the total number of employees in the corresponding reporting quarter of the previous year. Only employees with quarterly earnings of at least five hundred dollars shall be included in the calculation of the number of employees for that quarter. The credit is not allowed if the excess number of employees is due to a labor dispute or employer merger or acquisition. An employer's credit for a quarter cannot be carried over to another quarter and is limited to the amount of the employer's quarterly contribution. In order to receive the credit, the employer shall attach to the quarterly contribution report a copy of the quarterly contribution report for the corresponding reporting quarter of the previous year.

Sec. 15. This Act, being deemed of immediate importance, takes effect from and after its publication in The Sioux City Journal, a newspaper published in Sioux City, Iowa, and in the Waterloo Courier, a newspaper published in Waterloo, Iowa, and is retroactive to January 1, 1983. However, sections 1 through 5 and section 7 of this Act are effective only for unemployment compensation benefit claims effectively filed on or after July 3, 1983, and sections 6, 12, and 13 of this Act are effective from and after the Act's publication."

2. Title page, by striking lines 1 through 4 and inserting in lieu thereof the following: "An Act relating to unemployment compensation."

The House stood at ease at 3:03 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—3891 to House File 637 at 3:13 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, until his arrival, on request of Bennett of Ida.

Halvorson of Clayton moved the adoption of amendment H—3891.

Roll call was requested by Halvorson of Clayton and Connors of Polk.

On the question "Shall amendment H—3891 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Gerpen	Van Maanen
Welden			

The nays were, 61:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running

Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 2:

Royer	Tofte

Amendment H—3891 lost.

Halvorson of Clayton offered the following amendment H—3888 filed from the floor by Halvorson of Clayton, Harbor, Maulsby, Corey, Bennett, Lageschulte, Diemer, Grandia, Hermann, Swearingen, Welden, Daggett, Hummel, Mullins, Renken and Handorf and moved its adoption:

H—3888

Amend House File 637 as follows:

1. Page 1, by striking lines 20 through 25 and inserting in lieu thereof the words "wages were highest; however, the ~~director shall determine annually a~~ maximum weekly benefit amount ~~equal to the following percentages, to vary with the number of dependents, of the statewide average weekly wage paid to employees in insured work which~~ shall be ~~effective the first day of the first full week in July:~~ one hundred ninety dollars."

2. Page 2, by striking lines 1 through 3 and inserting in lieu thereof the words "~~The maximum weekly benefit amount, if not a multiple of one dollar shall be rounded to the higher multiple of one dollar. However, until such time as fifty-eight percent of~~".

3. By striking page 2, line 19 through page 3, line 15.

4. By renumbering as necessary.

Roll call was requested by Sturgeon of Woodbury and Chiodo of Polk.

On the question "Shall amendment H—3888 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright

Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Gerpen	Van Maanen
Welden			

The nays were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 3:

Copenhaver	Royer	Tofte

Amendment H—3888 lost.

Sturgeon of Woodbury offered the following amendment H—3880 filed by him from the floor and moved its adoption:

H—3880

Amend House File 637 as follows:
1. Page 3, line 7, by inserting after the word "statewide" the word "average".

Amendment H—3880 was adopted.

Tabor of Jackson in the chair at 3:59 p.m.

Stromer of Hancock offered the following amendment H—3896 filed by him from the floor and moved its adoption:

H–3896

Amend House File 637 as follows:

1. By inserting after page 3, line 26 the following:

"Sec. . Section 96.4, subsection 3, Code 1983, is amended to read as follows:

3. ~~He or she~~ The individual is able to work, is available for work, and is earnestly and actively seeking work. The provision of this subsection shall be waived if ~~he or she~~ the individual is deemed temporarily unemployed as defined in section 96.19, subsection 9, paragraph "c", except that this subsection shall not be waived as to the employer where the individual was last employed."

2. By renumbering as necessary.

Roll call was requested by Stromer of Hancock and Sturgeon of Woodbury.

On the question "Shall amendment H–3896 be adopted?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 57:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan

Swartz	Varn	Woods	Zimmerman
Mr. Speaker (Tabor)			

Absent or not voting, 5:

Cochran	Copenhaver	Davitt	Royer
Tofte			

Amendment H—3896 lost.

Sherzan of Polk offered the following amendment H—3881 filed from the floor by Sherzan, Peick, Running, Brammer, Renaud, Haverland, Van Camp, Poncy, Miller and Buhr:

H—3881

Amend House File 637 as follows:
1. Page 3, line 31, by striking the words "~~one quarter~~ one-third" and inserting in lieu thereof the word "one-quarter".

Speaker Avenson in the chair at 4:18 p.m.

Sherzan of Polk moved the adoption of amendment H—3881.

Roll call was requested by Running of Linn and Peick of Linn.

Rule 76 was invoked

On the question "Shall amendment H—3881 be adopted?"

The ayes were, 46:

Anderson	Bennett	Brammer	Branstad
Buhr	Carpenter	Clark	Cochran
Daggett	Davitt	Diemer	Grandia
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McKean	Menke	Miller	Mullins
Osterberg	Oxley	Peick	Poncy
Renaud	Renken	Rensink	Running
Schroeder	Sherzan	Shoultz	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen		

The nays were, 52:

Arnould	Baxter	Black	Blanshan

Carl	Carter	Chapman	Chiodo
Connolly	Connors	Cooper	Copenhaver
Corey	De Groot	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Hammond	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	McIntee	Muhlbauer
Norland	O'Kane	Ollie	Parker
Paulin	Pavich	Pellett	Rosenberg
Schnekloth	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Welden	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 2:

Royer	Tofte

Amendment H—3881 lost.

Buhr of Polk in the chair at 4:25 p.m.

Corey of Louisa offered the following amendment H—3893 filed by him from the floor and moved its adoption:

H—3893

Amend House File 637 as follows:

1. Page 3, line 31, by striking the word "one-third" and inserting in lieu thereof the word "one-half".

2. Page 4, line 12, by striking the words "a calendar quarter" and inserting in lieu thereof the words "a two calendar ~~quarter~~ quarters".

Amendment H—3893 lost.

Running of Linn asked and received unanimous consent to withdraw amendments H—3885 and H—3887 filed by him from the floor.

Halvorson of Clayton offered the following amendment H—3889 filed from the floor by Halvorson of Clayton, Harbor, Maulsby, Corey, Stromer, Bennett, Diemer, Stueland, Renken, Handorf, Van Gerpen, Lageschulte, Grandia, Hermann, Van Camp, Torrence, Pellett, Swearingen, Menke, Van Maanen, De Groot, Daggett, Welden and Hummel:

H–3889

Amend House File 637 as follows:

1. Page 4, by inserting after line 14 the following:

"Sec. . Section 96.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. The individual has satisfied one one-week waiting period during the individual's benefit year. To satisfy the one-week waiting period, the individual, with respect to the week in question, must be unemployed, have filed a claim for benefits, and be eligible for benefits from this state, but must not have received benefits from this or another state, and must not be eligible for benefits from another state."

2. By renumbering as necessary.

Speaker Avenson in the chair at 4:58 p.m.

Halvorson of Clayton moved the adoption of amendment H–3889.

Roll call was requested by Sturgeon of Woodbury and Halvorson of Clayton.

On the question "Shall amendment H–3889 be adopted?"

The ayes were, 43:

Anderson	Bennett	Blanshan	Branstad
Carl	Carpenter	Carter	Clark
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Groth	Halvorson, R. A.
Handorf	Harbor	Hermann	Hoffmann-Bright
Hummel	Jay	Knapp	Lageschulte
Maulsby	McIntee	McKean	Menke
Paulin	Pellett	Renken	Rensink
Schnekloth	Schroeder	Skow	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 55:

Arnould	Baxter	Black	Brammer
Buhr	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Groninga
Gronstal	Gruhn	Halvorson, R. N.	Hammond

Hanson	Haverland	Holveck	Hughes
Jochum	Koenigs	Krewson	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 2:

Royer	Tofte

Amendment H—3889 lost.

Running of Linn asked and received unanimous consent to withdraw amendments H—3886, H—3892, H—3895 and H—3897 filed by him from the floor.

Running of Linn offered the following amendment H—3898 filed from the floor by him and Sullivan of Van Buren and moved its adoption:

H—3898

Amend House File 637 as follows:

1. Page 4, by inserting after line 14 the following:

"Sec. . Section 96.4, subsection 3, Code 1983, is amended to read as follows:

3. ~~He or she~~ The individual is able to work, is available for work, and is earnestly and actively seeking work. The provision of this subsection shall be waived if ~~he or she~~ the individual is deemed temporarily unemployed as defined in section 96.19, subsection 9, paragraph "c" or if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph x.

Sec. . Section 96.5, subsection 1, Code 1983, is amended by adding the following new paragraph:

NEW PARAGRAPH. x. The individual has left employment in lieu of exercising a right to bump or oust a fellow employee with less seniority or priority from the fellow employee's job."

2. By renumbering as necessary.

Amendment H—3898 lost.

Fey of Scott in the chair at 5:20 p.m.

Welden of Hardin offered the following amendment H–3890 filed from the floor by Welden, Lageschulte, Paulin, Daggett, Krewson, Branstad and Pellett and moved its adoption:

H–3890

Amend House File 637 as follows:

1. Page 9, by striking lines 15 through 18 and inserting in lieu thereof the following: "of that calendar quarter. ~~However, the tax shall not be greater than one-tenth of one percent of taxable wages for that calendar quarter.~~ The tax shall apply to all employees and all employers except".

Roll call was requested by Welden of Hardin and O'Kane of Woodbury.

On the question "Shall amendment H–3890 be adopted?"

The ayes were, 34:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
Menke	Paulin	Pellett	Renken
Rensink	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Torrence	Van Gerpen
Van Maanen	Welden		

The nays were, 64:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan

Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker (Fey)

Absent or not voting, 2:

Royer	Tofte

Amendment H—3890 lost.

Stromer of Hancock offered the following amendment H—3894 filed by him from the floor and moved its adoption:

H—3894

Amend House File 637 as follows:
1. Page 11, by striking lines 3 through 10.
2. Renumber as necessary.

A non-record roll call was requested.

The ayes were 35, nays 61.

Amendment H—3894 lost.

Speaker Avenson in the chair at 6:13 p.m.

Connors of Polk in the chair at 6:33 p.m.

Sturgeon 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. 637)

The ayes were, 58:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	O'Kane

Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker (Connors)		

The nays were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Knapp	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Miller	Mullins	Paulin	Pellett
Renken	Rensink	Running	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Torrence	Van Gerpen	Van Maanen	Welden

Absent or not voting, 2:

Royer	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 637)

Norland of Worth asked and received unanimous consent to immediately message House File 637 to the Senate.

INTRODUCTION OF BILLS

House File 639, by committee on ways and means, a bill for an act prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive.

Read first time and referred to committee on **finance.**

House File 640, by committee on ways and means, a bill for an act providing for the filing of a claim for a property tax exemption by certain nonprofit organizations only once without refiling a claim

in subsequent years so long as the ownership of the property or use of the property remains unchanged, subject to a penalty provided by law.

Read first time and referred to committee on **finance.**

MOTION TO RECONSIDER
(House File 514)

I move to reconsider the vote by which House File 514 passed the House on April 27, 1983.

HAVERLAND of Polk

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 28, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 344, an act relating to the requirement that school districts maintain twelve grades and to provide for tuition payments by those districts not maintaining twelve grades.

Senate File 42, an act to set the time for the harvesting of wild ginseng.

Senate File 138, an act relating to the annual salary of the deputy clerks of the district court in a county having two locations at which the district court is held.

Senate File 225, an act to require the metering, inspection and testing, sealing, and licensing of pumps used to dispense liquefied petroleum gas.

Senate File 239, an act relating to the simultaneous classification of the main and all laterals of a drainage district when a branch or lateral is improved.

Senate File 334, an act relating to the release of a defendant before an appearance before a magistrate.

Senate File 503, an act relating to persons who are or may be incarcerated in correctional facilities.

Senate File 504, an act relating to the repeal or modification of statutes and rules affected by the proposed Iowa rules of evidence.

COMMUNICATION FROM SECRETARY OF STATE

April 28, 1983

Joe O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that the foregoing Act, Senate File 428 was published in The Bloomfield Democrat, Bloomfield, Iowa on April 21, 1983 and in the Ottumwa Courier, Ottumwa, Iowa on April 25, 1983.

MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

Carpenter of Polk presented to the House the Honorable Virginia Poffenberger, former member of the House representing Dallas County.

The Speaker announced that the following visitors were present in the House chamber:

Seventy fourth grade students from Waukee Elementary School, Waukee, accompanied by Margaret Hileman, Marilyn Anfinson and Debbie Vance. By Zimmerman of Dallas.

Sixteen sixth grade students from Grand River Elementary School, Grand River, accompanied by Nina Elliott. By Daggett of Taylor.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 341 Ways and Means

Prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive.

S.B. 342 Ways and Means

To impose the sales and use tax on the retail sale of newspapers,

repealing the sales and use tax on the newsprint and ink, and repealing the provisions which provide that the distribution of free newspapers and shoppers guides is a retail sale.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

Fiscal Note is not required.

Recommended **Do Pass** April 28, 1983.

COMMITTEE ON TRANSPORTATION

House File 636, a bill for an act to allow the state department of transportation to issue until June 30, 1986, annual special permits for the operation of compacted rubbish vehicles and vehicles which transport compacted rubbish from the point of collection to a landfill area, which vehicles have a rear axle gross weight for two-axle vehicles not exceeding twenty-two thousand pounds.

Fiscal Note is not required.

Recommended **Do Pass** April 28, 1983.

COMMITTEE ON WAYS AND MEANS

House File 69, a bill for an act relating to the refund of state sales, services, and use tax paid by contractors upon goods, wares, or merchandise or from services rendered, furnished, or performed to a contractor used in the performance of a contract for the state, a political subdivision, or an instrumentality of the state or a political subdivision, and making the bill retroactive.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3919** April 28, 1983.

Senate File 23, a bill for an act relating to the payment of property taxes by a taxpayer.

Fiscal Note is not required.

Recommended **Do Pass** April 28, 1983.

Pursuant to House Rule 33, House File 69 and Senate File 23 were referred to the committee on Finance.

Senate File 461, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3884** April 28, 1983.

Senate File 461 was rereferred to the committee on **appropriations** by Speaker Avenson.

Committee Bill (Formerly Study Bill 288), relating to the payment of principal and interest on public bonds by providing for a mandatory levy of taxes and the determination of certain interest rates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 28, 1983.

Committee Bill (Formerly Study Bill 334), providing for the filing of a claim for a property tax exemption by certain nonprofit organizations only once without refiling a claim in subsequent years so long as the ownership of the property or use of the property remains unchanged, subject to a penalty provided by law.

Fiscal Note is not required.

Recommended **Do Pass** April 28, 1983.

Committee Bill (Formerly Study Bill 341), prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive.

Fiscal Note is required.

Recommended **Do Pass** April 28, 1983.

AMENDMENTS FILED

H—3878	H.F. 557	Senate Amendment

H–3879	S.F.	302	Senate Amendment
H–3882	H.F.	634	Schroeder of Pottawattamie
H–3883	H.F.	634	Schroeder of Pottawattamie
H–3884	S.F.	461	Committee on Ways and Means
H–3899	H.F.	634	Doderer of Johnson
H–3900	H.F.	631	Gronstal of Pottawattamie Chiodo of Polk
H–3901	H.F.	634	Schnekloth of Scott
H–3902	H.F.	634	Schnekloth of Scott
H–3903	H.F.	634	Hanson of Delaware
H–3904	H.F.	634	Hanson of Delaware McIntee of Black Hawk
H–3905	H.F.	634	Schnekloth of Scott
H–3906	H.F.	634	Hanson of Delaware
H–3907	H.F.	634	Hanson of Delaware Branstad of Winnebago Schroeder of Pottawattamie Halvorson of Clayton
H–3908	H.F.	634	Chiodo of Polk
H–3909	H.F.	638	Knapp of Dubuque
H–3910	H.F.	638	Knapp of Dubuque
H–3911	H.F.	638	Spear of Lee
H–3912	H.F.	634	Chiodo of Polk
H–3913	H.F.	634	Hughes of Union
H–3914	H.F.	631	Schnekloth of Scott
H–3915	H.F.	634	Chiodo of Polk
H–3916	H.F.	634	Rosenberg of Story
H–3917	H.F.	634	Rosenberg of Story
H–3918	H.F.	634	Rosenberg of Story
H–3919	H.F.	69	Committee on Ways and Means
H–3920	H.F.	634	Carl of Poweshiek
H–3921	H.F.	634	Torrence of Muscatine Anderson of Audubon Hoffmann-Bright of Muscatine Mullins of Kossuth Hermann of Scott McKean of Jones Paulin of Plymouth
H–3922	H.F.	634	Grandia of Marion Maulsby of Calhoun Anderson of Audubon Hermann of Scott Paulin of Plymouth

H—3923	H.F.	634	Handorf of Marshall Anderson of Audubon Hoffmann-Bright of Muscatine Hermann of Scott Paulin of Plymouth
H—3924	H.F.	634	Van Gerpen of Black Hawk Hoffmann-Bright of Muscatine Hermann of Scott Paulin of Plymouth
Anderson of Audubon Mullins of Kossuth McKean of Jones			
H—3925	H.F.	634	Carl of Poweshiek
H—3926	H.F.	634	Cochran of Webster Fogarty of Palo Alto Muhlbauer of Crawford Cooper of Lucas Skow of Guthrie
H—3927	H.F.	634	Chiodo of Polk
H—3928	H.F.	634	Schnekloth of Scott

On motion by Norland of Worth, the House adjourned at 7:17 p.m., until 9:00 a.m., Friday, April 29, 1983.

JOURNAL OF THE HOUSE

One Hundred Tenth Calendar Day—Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 29, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend James Kvetko, pastor of the First Congregational Church, Waterloo.

The Journal of Thursday, April 28, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sturgeon of Woodbury on request of O'Kane of Woodbury; Hammond of Story, until her arrival, on request of Rosenberg of Story; Zimmerman of Dallas, until her arrival, on request of Carl of Poweshiek; Holveck of Polk, until his arrival, on request of Diemer of Black Hawk.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Blanshan of Greene, from two hundred seven residents of the 88th District.

By Harbor of Mills, from thirty-five constituents of Mills County.

By Hermann of Scott, from two hundred eighteen constituents.

By Ollie of Clinton, from one hundred eighty-three constituents.

By Schnekloth of Scott, from one hundred sixty-seven constituents.

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 28, 1983, 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 312, a bill for an act relating to public utilities and providing civil penalties.

Also: That the Senate has on April 27, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 525, a bill for an act to authorize certain persons to file a claim for the property tax credit on behalf of a deceased homeowner.

Also: That the Senate has on April 27, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 527, a bill for an act to remove the sales tax permit fee.

Also: That the Senate has on April 28, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 223, a bill for an act increasing the principal amount of the bonds and notes which may be issued by the Iowa housing finance authority under the Iowa small business loan program.

Also: That the Senate has on April 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 530, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Also: That the Senate has on April 28, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 532, a bill for an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

K. MARIE THAYER, Secretary

SENATE AMENDMENTS CONSIDERED

Groth of Buena Vista called up for consideration **Senate File 368**, a bill for an act relating to the powers and duties of the department

of water, air and waste management, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—3862 to the House amendment:

H—3862

Amend the House amendment, S—3571, to Senate File 368 as passed by the Senate, as follows:

1. Page 1, by striking lines 39 through 45 and inserting in lieu thereof the following:

"5. Page 12, by striking lines 11 and 12 and inserting in lieu thereof the following: "Permits ~~may~~ shall be granted for ~~any~~ a period of ~~time not exceeding~~ ten years except permits for withdrawal of water which may be granted for less than ten years if geological data on the capacity of the aquifer and the rate of its recharge are indeterminate and permits for the storage of water"."

2. By renumbering sections.

The motion prevailed and the House concurred in the Senate amendment H—3862 to the House amendment.

Groth of Buena Vista 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. 368)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich

Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Mr. Speaker			

The nays were, 1:

Grandia

Absent or not voting, 6:

Blanshan	Hammond	Jochum	Royer
Sturgeon	Zimmerman		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Halvorson of Webster called up for consideration **Senate File 457**, a bill for an act relating to the campaign finance disclosure commission, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—3873 to the House amendment:

H—3873

Amend the House amendment S—3548 to Senate File 457 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 49, by striking the word "receivable" and inserting in lieu thereof the word "payable".

The motion prevailed and the House concurred in the Senate amendment H—3873 to the House amendment.

Halvorson of Webster 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. 457)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Mr. Speaker

The nays were, 1:

Welden

Absent or not voting, 7:

Branstad	Groninga	Hammond	Jochum
Royer	Sturgeon	Zimmerman	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate Files 368 and 457)

Norland of Worth asked and received unanimous consent to immediately message Senate Files 368 and 457 to the Senate.

HOUSE INSISTS
(Senate File 496)

Tabor of Jackson called up for consideration **Senate File 496,** a

bill for an act relating to the promotion of the sexual exploitation of children and providing penalties, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED
(Senate File 496)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 496: Tabor of Jackson, Chair; Miller of Woodbury, Rosenberg of Story, Corey of Louisa and Clark of Cerro Gordo.

SENATE AMENDMENT CONSIDERED

Skow of Guthrie called up for consideration **House File 557**, a bill for an act relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to insure or guarantee loans made to certain farmers, amended by the Senate amendment H–3878 as follows:

H–3878

Amend House File 557 as passed by the House, as follows:

1. Page 2, by inserting after line 1 the following:

"Sec. 2. As soon as possible after June 30, 1983, the Iowa family farm development authority shall request the secretary of agriculture of the United States to amend the agreement between the authority and the secretary pursuant to section 175.29 to increase from three percent to five percent the maximum percentage of the trust assets covered by the agreement which may be used for administration expenses of the authority.

Sec. 3. Section 1 of this Act takes effect on the date that the agreement between the Iowa family farm development authority and the secretary of agriculture of the United States is amended for the reason specified in section 2 of this Act."

Blanshan of Greene in the chair at 9:54 a.m.

On motion by Skow of Guthrie, the House concurred in the Senate amendment H–3878.

Skow of Guthrie 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. 557)

The ayes were, 64:

Arnould	Avenson	Baxter	Black
Brammer	Buhr	Carl	Carter
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Daggett	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McIntee
McKean	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Sullivan	Swartz	Swearingen	Tabor
Van Maanen	Varn	Woods	Mr. Speaker (Blanshan)

The nays were, 32:

Anderson	Bennett	Branstad	Carpenter
Chapman	Clark	Corey	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Lageschulte	Maulsby	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Schnekloth	Stromer	Stueland	Tofte
Torrence	Van Camp	Van Gerpen	Welden

Absent or not voting, 4:

Hammond	Royer	Sturgeon	Zimmerman

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILLS
Regular Calendar

House File 634, a bill for an act relating to lotteries by providing for a state lottery, an agency to oversee lottery operations, a state

lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty for their commission, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund, was taken up for consideration.

The House stood at ease at 10:02 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 634 at 11:40 a.m., Speaker Avenson in the chair.

(House File 634 pending at recess.)

On motion by Norland of Worth, the House was recessed at 11:41 a.m., until 12:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 29, 1983, 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 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

K. MARIE THAYER, Secretary

The House stood at ease at 12:56 p.m., until the fall of the gavel.

The House resumed session at 2:43 p.m., Speaker Avenson in the chair.

HOUSE FILE 634 DEFERRED

Norland of Worth asked and received unanimous consent that

House File 634 be temporarily deferred and that the bill retain its place on the calendar.

MOTION TO ADJOURN LOST

Stromer of Hancock moved that the House adjourn until 10:00 a.m., Monday, May 2, 1983.

Roll call was requested by Connors of Polk and Norland of Worth.

On the question "Shall the House adjourn?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 54:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sullivan	Swartz	Tabor	Varn
Zimmerman	Mr. Speaker		

Absent or not voting, 7:

Hammond	Lonergan	Miller	Poncy
Sturgeon	Tofte	Woods	

The motion to adjourn lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Poncy of Wapello on request of Connolly of Dubuque and Tofte of Winneshiek on request of Bennett of Ida, both for the remainder of the day.

Unfinished Business Calendar

The House resumed consideration of **Senate File 310**, a bill for an act relating to the limitation on state bank investments in certain bonds or notes issued by the Iowa Family Farm Development Authority, deferred and placed on the unfinished business calendar on April 12, 1983.

Skow of Guthrie moved that the bill be read a last time 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. 310)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Hammond	Miller	Poncy	Sturgeon
Tofte			

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 630, a bill for an act relating to the refund of prorate registration fees, was taken up for consideration.

Brammer 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. 630)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Hammond Miller Poncy Sturgeon 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:

Mullins of Kossuth on request of McKean of Jones; Gruhn of Dickinson on request of Cochran of Webster; Ollie of Clinton on request of Haverland of Polk; Jay of Appanoose on request of Stromer of Hancock; Krewson of Polk on request of McKean of Jones and Hermann of Scott on request of Hanson of Delaware, all for the remainder of the day.

House File 631, a bill for an act relating to property tax exemptions in an urban revitalization area, was taken up for consideration.

Gronstal of Pottawattamie offered the following amendment H–3900 filed by him and Chiodo of Polk:

H–3900

Amend House File 631 as follows:

1. Page 1, line 8, by inserting after the word "both." the words "If revitalization is made applicable only to some property within an assessment classification, the definition of that subset of eligible property must be by uniform criteria which further some planning objective identified in the plan."

2. Page 2, by inserting after line 12 the following:

"Sec. . Section 1 of this Act applies to a revitalization area on the effective date of this Act where the plan is consistent with its provisions or is amended to be consistent with its provisions and applies to areas designated revitalization areas on or after the effective date of this Act."

3. Page 2, line 16, by striking the words "Council Bluffs" and inserting in lieu thereof the word "Daily".

4. By numbering and renumbering as necessary.

Connors of Polk in the chair at 3:07 p.m.

On motion by Gronstal of Pottawattamie, amendment H—3900 was adopted.

Schnekloth of Scott offered the following amendment H—3914 filed by him and moved its adoption:

H—3914

Amend House File 631 as follows:
1. Page 2, by inserting after line 12 the following:
"Sec. . Sections 1 and 2 of this Act apply only to property located in an area of a revitalization area which is zoned commercial by the jurisdiction that made the original designation of the area as an urban revitalization area."

Roll call was requested by Schnekloth of Scott and Hummel of Benton.

On the question "Shall amendment H—3914 be adopted?"

The ayes were, 43:

Anderson	Bennett	Black	Carter
Clark	Cooper	Corey	Daggett
De Groot	Fogarty	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Haverland
Hoffmann-Bright	Hughes	Hummel	Knapp
Koenigs	Lageschulte	Maulsby	McKean
Menke	Osterberg	Oxley	Paulin
Pellett	Renken	Rensink	Rosenberg
Royer	Schnekloth	Stromer	Stueland
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 44:

Arnould	Avenson	Baxter	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Chiodo	Cochran	Connolly
Copenhaver	Davitt	Diemer	Doderer
Fey	Groninga	Gronstal	Halvorson, R. N.
Holveck	Jochum	Lloyd-Jones	Lonergan
McIntee	Miller	Muhlbauer	Norland
O'Kane	Parker	Pavich	Peick
Renaud	Schroeder	Sherzan	Shoultz
Skow	Spear	Sullivan	Swartz

Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, 13:

Branstad	Groth	Gruhn	Hammond
Hermann	Jay	Krewson	Mullins
Ollie	Poncy	Running	Sturgeon
Tofte			

Amendment H—3914 lost.

Gronstal 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. 631)

The ayes were, 72:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Haverland	Hoffmann-Bright	Holveck	Hughes
Jochum	Knapp	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Menke	Miller
Muhlbauer	Norland	O'Kane	Oxley
Parker	Pavich	Peick	Renaud
Rosenberg	Royer	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Van Camp	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 16:

Carter	Daggett	De Groot	Grandia
Hummel	Koenigs	Maulsby	McKean
Osterberg	Paulin	Pellett	Renken
Rensink	Schnekloth	Torrence	Welden

Absent of not voting, 12:

Groth	Gruhn	Hammond	Hermann
Jay	Krewson	Mullins	Ollie
Poncy	Running	Sturgeon	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 634,** a bill for an act relating to lotteries by providing for a state lottery, an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty for their commission, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund, temporarily deferred.

The House stood at ease at 3:30 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 634 at 3:43 p.m., Speaker Avenson in the chair.

Schroeder of Pottawattamie offered amendment H–3946 filed by him from the floor and requested division as follows:

H–3946

Amend House File 634 as follows:

H–3946A

1. Page 1, by inserting after line 7 the following:
" . "Instant lottery" means a lottery in which payment on winnings is made at the point of sale."

H–3946B

2. Page 4, by inserting after line 26 the following:
" . Requirements that prior to the sale of an instant lottery ticket to the public by a licensed agent, the ticket must be purchased by the agent."

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H–3946A.

Doderer of Johnson offered the following amendment H–3899 filed by her:

H–3899

Amend House File 634 as follows:

1. Page 1, by striking lines 10 and 11, and inserting in lieu thereof the following:

"4. "Board" means the Iowa lottery board."

2. Page 1, by striking line 18 and inserting in lieu thereof the following: "lottery agency. It is a separate agency of state government whose head is the commis-".

3. Page 2, line 7, by striking the word "Each" and inserting in lieu thereof the word "The".

4. By striking page 2, line 26 through page 3, line 8, and inserting in lieu thereof the following:

"Sec. . NEW SECTION. LOTTERY BOARD.

1. There is created an Iowa lottery board to consist of five members, not more than three of whom shall be from the same political party, and who shall be appointed by the governor subject to confirmation by the senate. Of the intitial members one shall serve a term of one year, one shall serve a term of two years, one shall serve a term of three years, and two shall serve a term of four years. The successors to the original board members shall serve four year terms beginning and ending as provided by section 69.19, subject to confirmation by the senate. A vacancy on the commission shall be filled in the same manner as regular appointments are made and the term shall be for the unexpired portion of the regular term. A person shall not serve longer than eight years as a member of the board.

2. If the governor fails to make an appointment to fill a vacancy or fails to submit an appointment to the senate as required by section 2.32, the senate may make the appointment prior to the adjournment of the general assembly.

Sec. . NEW SECTION. BOARD QUALIFICATIONS–CONFLICT OF INTEREST.

1. Board members shall be residents of this state. At least one member of the board shall be a person who has been a law enforcement officer for not less than five years, one member shall be an attorney admitted to the practice of law in Iowa for not less than five years, and one member shall be a certified

public accountant who has practiced accountancy in Iowa for at least five years.

2. A person shall not serve as a member of the board who directly or indirectly, individually, or as a member of a partnership, or as a shareholder of a corporation has an interest in dealing in a lottery or in the ownership or leasing of property used by or for a lottery. A member of the board who

Page 2

accepts employment or acquires stock, bonds or other interest in a company, partnership, or corporation doing business with a lottery shall be disqualified from remaining a member of the board.

Sec. . NEW SECTION. BOARD MEETINGS. The board shall hold at least one meeting each month and as often as necessary. The board shall select a chairperson from its membership at the first regular meeting of the board following enactment of this Act and shall thereafter select a chairperson at the first regular meeting of each fiscal year. Written notice of the time and place of each meeting shall be given to each member of the board. A majority of the board constitutes a quorum.

Sec. . NEW SECTION. EXPENSES—SALARY. Members of the board shall be compensated at a rate of forty dollars per diem while on official business of the board. Members shall also be allowed the actual and necessary expenses incurred in the performance of their duties. The expenses incurred by members of the board and the salaries paid to members of the board are part of the necessary expenses of the lottery.

Sec. . NEW SECTION. DUTIES OF THE BOARD—COMMISSIONER.

1. Subject to the approval of the board, the director shall initiate and operate a lottery at the earliest possible time. The commission and the director shall supervise the lottery in order to produce the maximum amount of net revenues for the state in a manner which maintains the dignity of the state and the general welfare of the people.

2. Subject to the approval of the board, the commissioner may enter into contracts for the operation and promotion of the lottery, including contracts with individuals or business organizations experienced in the design and operation of state administered lotteries of other states. A contract awarded or entered into by the commissioner shall not be assigned by the contract holder except upon the written approval

of the board.

3. The commissioner shall make rules which are subject to the approval of the board and in accordance with chapter 17A for implementing this Act and preventing violations of this Act. The rules shall include but are not limited to the following subject matters:".

5. Page 4, by striking lines 25 and 26 and inserting in lieu thereof the following: "In addition to any rules made regarding the qualifications of

Page 3

an applicant for a license, a person shall not be issued a license if one or more of the following applies:

(1) The person is under the age of eighteen.

(2) The person has been convicted of fraud.

(3) The person has not been a licensee and has been convicted or found to have committed a violation of this Act.

(4) The person has previously been issued a license under this Act and the license was revoked."

6. Page 6, by striking lines 16 and 17 and inserting in lieu thereof the following:

"1. The commissioner shall report quarterly to the governor and the general assembly. The".

7. Page 6, line 29, by striking the words ", the treasurer of state,".

8. Page 7, by striking lines 14 through 19 and inserting in lieu thereof the following:

"Sec. 9. NEW SECTION. CONFLICT OF INTEREST.

1. The commissioner, the directors, and the employees of the lottery shall not directly or indirectly, individually, or as a member of a partnership, or as a shareholder of a corporation have an interest in dealing in a lottery or in the ownership or leasing of property used by or for a lottery.

2. A member of the board, the commissioner, an emloyee of the lottery, or a member of their immediate families shall not receive any gift, gratuity, or other thing of value from any person, corporation, association, or firm contracting or seeking to contract with the state to supply gaming equipment or materials for use in the operation of a lottery or from an applicant for a license to sell tickets or shares in the lottery or from a licensee.

3. Any commissioner or employee of the lottery who violates this section shall be immediately removed from their position. Violation of this section is

a serious misdemeanor."

9. By striking page 8, line 35 through page 9, line 2, and inserting in lieu thereof the following: "convenience, and the volume of expected sales. A licensee".

10. Page 9, by striking line 17, and inserting in lieu thereof the following:

"4. Subject to the approval of the board, the commissioner may authorize compensation to licensees".

11. Page 10, by striking lines 4 and 5 and inserting in lieu thereof the following: "One member shall be a designee of the board, one member shall

Page 4

be the attorney general or".

12. Page 10, by striking line 13 and inserting in lieu thereof the following: "that fixed by the board and the commissioner and a sale shall not be made other".

13. Page 10, line 23, by inserting after the word "misdemeanor" the words "and the licensee's license shall be revoked".

14. Page 11, by striking line 30, and inserting in lieu thereof the following:

"1. Subject to the approval of the board, the commissioner may require licensees to deposit to".

15. Page 12, by inserting after line 21 the following:

"Sec. . NEW SECTION. LIABILITY AND FUNDING. The board and the commissioner shall operate the lottery so that after the initial state appropriation, it shall be self-sustaining and self-funded. A claim for the payment of any expense of the lottery and the payment of any lottery prize shall not be made unless it is against the lottery fund or money collected from the sale of lottery tickets or shares. Except for the initial appropriation to the lottery, funds of the state shall not be used or obligated to pay the expenses of the lottery or prizes of the lottery."

16. By numbering, renumbering and correcting internal references as necessary.

17. Title page, line 1, by inserting after the word "lottery," the words "a state lottery board and".

18. Title page, line 7, by striking the words "for their commission".

Chiodo of Polk asked and received unanimous consent to withdraw amendment H—3915, to amendment H—3899, filed by him on April 28, 1983.

Chiodo of Polk offered the following amendment H—3935, to amendment H—3899, filed by him and Doderer of Johnson from the floor and moved its adoption:

H—3935

Amend the House amendment H—3899 to House File 634 as follows:

1. Page 3, line 48 by striking the word and figures "4 and 5" and inserting in lieu thereof the word and figures "4, 5 and 6".

2. Page 4, line 1 by striking the words "attorney general or" and inserting in lieu thereof the words "treasurer of state or a designee of the treasurer of state, and one member shall be".

Amendment H—3935 was adopted.

The following amendment H—3958, to amendment H—3899, filed by Doderer of Johnson from the floor was adopted by unanimous consent:

H—3958

Amend amendment H—3899 to House File 634 as follows:

1. Page 1, by striking lines 30 through 34.

2. Page 3, by striking lines 11 through 16.

On motion by Doderer of Johnson, amendment H—3899, as amended, was adopted.

Norland of Worth asked and received unanimous consent that House File 634 be deferred and that the bill retain its place on the calendar.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 29, 1983, he approved and transmitted to the Secretary of State the following bill:

Senate File 208, an act authorizing the issuance of industrial revenue bonds under Chapter 419 for museums, libraries, and tourist information centers.

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 April, 1983: House Files 57, 119, 242, 247, 364, 500, 517, 570 and 606.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

COMMUNICATION FROM SECRETARY OF STATE

April 28, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

Pursuant to the authority vested in the undersigned, Secretary of State of the State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1983, there being no newspaper by the name of The Council Bluffs Nonpareil, published in Council Bluffs, Iowa, I hereby designate The Daily Nonpareil, a newspaper published in Council Bluffs, Iowa to publish Senate File 369.

Furthermore, I hereby certify that Senate File 369 was published in The Daily Nonpareil, Council Bluffs, Iowa on April 26, 1983 and in the Marshalltown Times-Republican on April 27, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Seventy-five eighth grade students from St. Edwards School, Waterloo, accompanied by Don Sullivan and Joan McCann. By McIntee, Shoultz and Van Gerpen of Black Hawk.

Thirty-eight fifth grade students from Rockwell City Elementary School, Rockwell City, accompanied by Mrs. Betty Bardole and Mrs. Audrey Gray. By Maulsby of Calhoun.

Thirty fifth grade students from Roosevelt Elementary School, Ames, accompanied by Nathan Tosten. By Hammond and Rosenberg of Story.

SUBCOMMITTEE ASSIGNMENTS

House File 69

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

House File 629

Ways and Means: Doderer, Chair; Carpenter, De Groot, Rosenberg and Tabor.

House File 632

Finance: Arnould, Chair; Branstad and Jochum.

House File 635

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

House File 636

Transportation: Woods, Chair; Lageschulte and Koenigs.

House File 638

Finance: Jochum, Chair; Branstad and Connolly.

House File 639

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

House File 640

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

Senate File 23

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

Senate File 314

Ways and Means: Tabor, Chair; Holveck and Maulsby.

Senate File 335

Ways and Means: Rosenberg, Chair; Cochran and Renken.

Senate File 354

Ways and Means: Carpenter, Chair; Copenhaver and Holveck.

Senate File 404

Ways and Means: Doderer, Chair; Renken and Varn.

Senate File 521

Ways and Means: Davitt, Chair; Copenhaver and Maulsby.

Senate File 526

Ways and Means: Doderer, Chair; Carpenter, De Groot, Rosenberg and Tabor.

Senate File 527

Finance: Jochum, Chair; Arnould and Branstad.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 337

Ways and Means: Davitt, Chair; Oxley and Schroeder.

Study Bill 338

Ways and Means: Rosenberg, Chair; Chiodo, Cochran, McKean and Schnekloth.

Study Bill 339

Finance: Chiodo, Chair; Branstad and Connolly.

Study Bill 340

Finance: Halvorson of Webster, Chair; Branstad and Jochum.

HOUSE RESOLUTION 9
By Varn

Whereas, "acid rain" is a term that describes precipitation with above normal acid content which

is attributable to sulfur and nitrogen oxide emissions from power plants, industrial facilities and automobiles which undergo chemical transformations in the atmosphere; and

Whereas, studies show that acid rain is causing serious environmental problems, including damage to forests, fish and agricultural crops; and

Whereas, it is difficult for a state to respond to the problem of acid rain and its effects on a state's environment because the source of the pollution may be in another state's jurisdiction; *Now Therefore*,

Be It Resolved by the House of Representatives, That the House of Representatives requests the United States Congress to develop a policy and provide assistance to the states in identifying the extent and source of acid rain pollution and abating and preventing environmental damage caused by acid rain.

Be It Further Resolved, That copies of this resolution be sent to the Speaker of the United States House of Representatives, the President of the Senate and the members of the Congressional delegation from Iowa.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 28

By Carl, Hammond, Torrence, Chapman, Buhr, Doderer, Mullins, Baxter, Lonergan, Zimmerman, Peick, Carpenter, Hoffmann-Bright, Gruhn, Hermann, Varn, Rosenberg, Van Gerpen, Blanshan, Clark and Miller

Whereas, the protection of children from abuse, neglect, and lack of supervision is a fundamental societal concern; and

Whereas, the adequate protection of children requires the close cooperation of the juvenile court, the county attorney, and the department of social services; and

Whereas, recent incidents of child abuse in this state have demonstrated the lack of coordination of dispositions of the juvenile court and criminal prosecutions by county attorneys with protective services provided by the department of social services; and

Whereas, a need exists to review the roles of juvenile court judges, referees, and guardians ad litem in the juvenile justice system; and

Whereas, a need exists to review the roles of foster parents and social workers in relationship to juvenile court dispositions of child abuse cases and criminal prosecutions of alleged child abusers;

and

Whereas, a need exists to examine alternatives to remedy the lack of supervision of children, especially before and after school; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is requested to authorize an interim study by a joint committee composed of members from both the house of representatives and the senate to study and make recommendations on legislation concerning the

Page 2

continuity of judicial dispositions and the provision of adequate supervision and social services related to children who are the subjects of abuse, neglect, or lack of supervision; and

Be It Further Resolved, That the joint study committee report its findings and recommendations, with legislative bill drafts required to implement the recommendations, to the legislative council, the general assembly, and the appropriate standing committees of the house of representatives and the senate.

Laid over under Rule 25.

AMENDMENTS FILED

H–3929	H.F.	634	Mullins of Kossuth
			Menke of O'Brien
			Bennett of Ida
H–3930	H.F.	634	O'Kane of Woodbury
H–3931	H.F.	634	McIntee of Black Hawk
Anderson of Audubon			Paulin of Plymouth
Hanson of Delaware			Renken of Grundy
Hermann of Scott			Corey of Louisa
Van Gerpen of Black Hawk			Maulsby of Calhoun
Daggett of Taylor			Van Maanen of Mahaska
Krewson of Polk			Schroeder of Pottawattamie
Van Camp of Scott			Torrence of Muscatine
Grandia of Marion			Bennett of Ida
Handorf of Marshall			Lageschulte of Bremer
Schnekloth of Scott			Rensink of Sioux
Harbor of Mills			Halvorson of Clayton
Carpenter of Polk			Mullins of Kossuth

	Diemer of Black Hawk		Pellett of Cass
	Stueland of Clinton		Branstad of Winnebago
	McKean of Jones		De Groot of Lyon
	Stromer of Hancock		Swearingen of Keokuk
	Hoffmann-Bright of Muscatine		Tofte of Winneshiek
H—3932	H.F.	634	Daggett of Taylor
			Swearingen of Keokuk
			Rensink of Sioux
			Diemer of Black Hawk
			Van Gerpen of Black Hawk
			Harbor of Mills
H—3933	H.F.	634	Rosenberg of Story
H—3934	H.F.	634	Chiodo of Polk
H—3936	H.F.	634	Doderer of Johnson
			Hanson of Delaware
H—3937	H.F.	634	O'Kane of Woodbury
H—3938	H.F.	634	Pellett of Cass
			Branstad of Winnebago
			Handorf of Marshall
			Bennett of Ida
H—3939	H.F.	634	Hoffmann-Bright of Muscatine
			Van Camp of Scott
H—3940	H.F.	634	Harbor of Mills
H—3941	H.F.	634	Schnekloth of Scott
			Rensink of Sioux
			Halvorson of Clayton
			Maulsby of Calhoun
			Anderson of Audubon
			McIntee of Black Hawk
			Paulin of Plymouth
			Welden of Hardin
			Branstad of Winnebago
H—3942	H.F.	634	Maulsby of Calhoun
H—3943	H.F.	634	Halvorson of Clayton
			Diemer of Black Hawk
			Hanson of Delaware
			Bennett of Ida
H—3944	H.F.	634	Lageschulte of Bremer

H–3945	H.F.	634	Schnekloth of Scott Stueland of Clinton Pellett of Cass Lageschulte of Bremer Branstad of Winnebago Maulsby of Calhoun
H–3947	H.F.	634	McIntee of Black Hawk
H–3948	H.F.	634	Hermann of Scott Renken of Grundy Van Gerpen of Black Hawk McIntee of Black Hawk Hanson of Delaware Schnekloth of Scott Rensink of Sioux
H–3949	H.F.	634	Stromer of Hancock Schroeder of Pottawattamie
H–3950	H.F.	634	Harbor of Mills Schroeder of Pottawattamie Pellett of Cass Branstad of Winnebago
H–3951	H.F.	634	Menke of O'Brien Corey of Louisa
H–3952	H.F.	634	Corey of Louisa
H–3953	S.F.	495	Senate Amendment
H–3954	S.F.	23	Spear of Lee
H–3955	H.F.	633	Parker of Jasper Schroeder of Pottawattamie Chiodo of Polk
H–3956	H.F.	634	Bennett of Ida
H–3957	H.F.	634	Maulsby of Calhoun
H–3959	S.F.	404	Swartz of Marshall
H–3960	H.F.	638	Jochum of Dubuque
H–3961	H.F.	638	Knapp of Dubuque
H–3962	S.F.	370	Schroeder of Pottawattamie Branstad of Winnebago Lageschulte of Bremer Maulsby of Calhoun Renken of Grundy Schnekloth of Scott Corey of Louisa Rensink of Sioux Pellett of Cass Daggett of Taylor Miller of Woodbury Chiodo of Polk

Welden of Hardin
Tofte of Winneshiek
Grandia of Marion
Torrence of Muscatine
Van Camp of Scott
Bennett of Ida
Halvorson of Clayton
Hoffmann-Bright of Muscatine
Handorf of Marshall
Cooper of Lucas

Anderson of Audubon
Harbor of Mills
De Groot of Lyon
Stueland of Clinton
Gruhn of Dickinson
Blanshan of Greene
Spear of Lee
Black of Jasper
Skow of Guthrie
Copenhaver of Buchanan
Renaud of Polk
Connolly of Dubuque
Jochum of Dubuque
Knapp of Dubuque
Muhlbauer of Crawford
Peick of Linn
Sherzan of Polk
Menke of O'Brien
Tabor of Jackson
Koenigs of Mitchell
Sullivan of Van Buren
Paulin of Plymouth
Fey of Scott
Swartz of Marshall
Osterberg of Linn
Van Gerpen of Black Hawk
Royer of Page
Clark of Cerro Gordo
Baxter of Des Moines
Swearingen of Keokuk
Hermann of Scott
Diemer of Black Hawk
Carpenter of Polk
Fogarty of Palo Alto
Ollie of Clinton
Lloyd-Jones of Johnson
Mullins of Kossuth
Woods of Polk
Van Maanen of Mahaska
Oxley of Linn
Cochran of Webster
Poncy of Wapello
Hughes of Union
Groninga of Cerro Gordo

On motion by Norland of Worth, the House adjourned at 4:17 p.m., until 10:00 a.m., Monday, May 2, 1983.

JOURNAL OF THE HOUSE

One Hundred Thirteenth Calendar Day—Seventy-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, May 2, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable Andrew McKean, state representative from Jones County.

The Journal of Friday, April 29, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pavich of Pottawattamie, for the morning session, on request of Harbor of Mills; Lonergan of Boone, for May 2 and May 3, 1983, on request of Arnould of Scott; O'Kane of Woodbury and Sturgeon of Woodbury, until their arrival, on request of Rosenberg of Story.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Daggett of Taylor, from one hundred seventy constituents of the 92nd District.

By Stueland of Clinton, from seven hundred eleven constituents.

SENATE MESSAGES CONSIDERED

Senate File 530, by committee on appropriations, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Read first time and referred to committee on **finance.**

Senate File 532, by committee on appropriations, a bill for an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Read first time and referred to committee on **appropriations.**

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.

HOUSE FILE 634 DEFERRED

Norland of Worth asked and received unanimous consent that House File 634 be deferred and that the bill retain its place on the calendar.

Unfinished Business Calendar

The House resumed consideration of **Senate File 380,** a bill for an act relating to projects for which industrial revenue bonds may be issued by a city or county, deferred and placed on the unfinished business calendar on April 8, 1983.

Lloyd-Jones of Johnson asked and received unanimous consent to temporarily defer action on amendment H–3573.

Osterberg of Linn offered the following amendment H–3860 filed by him:

H–3860

Amend Senate File 380 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by inserting after line 34 the following:

"Sec. . NEW SECTION. 476.34 PURPOSE. It is the policy of this state to encourage the development of alternate energy production facilities and small hydro facilities in order to conserve our finite and expensive energy resources and to provide

for their most efficient use.

Sec. . NEW SECTION. 476.35 DEFINITIONS.

As used in this division, unless the context otherwise requires:

1. "Alternate energy production facility" means any or all of the following:

a. A solar, wind turbine, waste management, resource recovery, refuse-derived fuel, or wood burning facility.

b. Land, systems, buildings, or improvements that are located at the project site and are necessary or convenient to the construction, completion, or operation of the facility.

c. Transmission or distribution facilities necessary to conduct the energy produced by the facility to users located at or near the project site.

2. "Electric utility" means a public utility that furnishes electricity to the public for compensation.

3. "Small hydro facility" means any or all of the following:

a. A hydroelectric facility at a dam.

b. Land, systems, buildings, or improvements that are located at the project site and are necessary or convenient to the construction, completion, or operation of the facility.

c. Transmission or distribution facilities necessary to conduct the energy produced by the facility to users located at or near the project site.

Sec. . NEW SECTION. 476.36 RATES FOR ALTERNATE ENERGY PRODUCTION FACILITIES.

1. Subject to section 476.37, the commission shall require electric utilities to enter into long-term contracts to do the following:

a. Purchase or wheel electricity from alternate energy production facilities or small hydro facilities located in the utility's service area under the terms and conditions that the commission finds are just and economically reasonable to the electric utilities' ratepayers, are nondiscriminatory to alternate energy producers and small hydro producers and will further the policy stated in section 476.34.

Page 2

b. Provide for the availability of supplemental or backup power to alternate energy production facilities or small hydro facilities on a nondiscriminatory basis and at just and reasonable rates.

2. Upon application by the owner or operator of an alternate energy production facility or small hydro

facility or any interested party, the commission shall establish for the affected public utility just and economically reasonable rates for electricity purchased under subsection 1, paragraph a. The rates shall be established at levels sufficient to stimulate the development of alternate energy production and small hydro facilities in Iowa and to encourage the continuation of existing capacity from those facilities.

3. The commission shall base the rates for new facilities or new capacity from existing facilities on the following factors:

a. The estimated capital cost of the next generating plant, including related transmission facilities, to be placed in service by the electric utility serving the area.

b. The term of the contract between the electric utility and the seller.

c. A levelized annual carrying charge based upon the term of the contract and determined in a manner consistent with both the methods and the current interest or return requirements associated with the electric utility's new construction program.

d. The electric utility's annual energy costs, including current fuel costs, related operation and maintenance costs, and other energy-related costs considered appropriate by the commission.

4. The commission shall consider the factors listed in subsection 3 in setting rates for existing facilities. However, the commission may consider other factors and may establish a rate for existing facilities that is less than the rate established for new facilities if the commission determines that a lower rate is sufficient to encourage small power production.

5. In the case of a utility that purchases all or substantially all of its electricity requirements, the rates established under this section must be equal to the current cost to the electric utility of similar types and quantities of electrical service.

6. In lieu of the other procedures provided by this section, an electric utility and an owner or operator of an alternate energy production facility

Page 3

or small hydro facility may enter into a long-term contract in accordance with subsection 1 and may agree to rates for purchase and sale transactions. A contract entered into under this subsection must be filed with the commission in the manner provided for

tariffs under section 476.4.

7. This section does not require an electric utility to construct additional facilities unless those facilities are paid for by the owner or operator of the affected alternate energy production facility or small hydro facility.

Sec. . NEW SECTION. 476.37 EXCEPTIONS.

1. The commission shall not require an electric utility to purchase or wheel electricity from an alternate energy production facility unless the facility meets all of the following conditions:

a. Has an electric generating capacity of not more than eighty megawatts.

b. Produces electricity, gas, or useful thermal energy for industrial, commercial, or residential purposes.

c. Is owned or operated by an individual, firm, copartnership, corporation, company, association, joint stock association, city, town, or county that:

(1) Is not primarily engaged in the business of producing or selling electricity, gas, or useful thermal energy other than electricity, gas, or useful thermal energy sold solely from alternate energy production facilities or small hydro facilities.

(2) Does not sell electricity, gas, or useful thermal energy to residential users other than the tenants or the owner or operator of the facility.

2. The commission shall not require an electric utility to purchase or wheel electricity from a small hydro facility unless the facility has an electric generating capacity of not more than eighty megawatts.

Sec. . NEW SECTION. 476.38 EXEMPTION FROM EXCESS CAPACITY. Capacity purchased from an alternate energy production facility shall not be included in a calculation of an electric utility's excess generating capacity for ratemaking purposes.

Sec. . Until July 1, 1986, the rate for a new facility under section 476.36, subsection 2, shall not exceed eight cents per kilowatt hour."

2. Amend the title, by striking lines 1 and 2 and inserting in lieu thereof the words "An Act to encourage economic development by providing incentives for certain energy producing facilities and research and development activities."

The following amendment H—3870, to amendment H—3860, filed by Osterberg of Linn was adopted by unanimous consent:

H–3870

Amend amendment H–3860 to Senate File 380 as amended, passed and reprinted by the Senate as follows:

1. Page 3, line 15 by inserting after the word "facility" the words "or small hydro facility".

2. Page 3, by striking lines 19, 20 and 21.

3. Page 3, line 39 by inserting after the words "production facility"the words "or small hydro facility".

Haverland of Polk in the chair at 10:34 a.m.

Osterberg of Linn moved the adoption of amendment H–3860, as amended.

A non-record roll call was requested.

The ayes were 62, nays 23.

Amendment H–3860, as amended, was adopted.

Running of Linn offered the following amendment H–3761 filed by him and Van Camp of Scott:

H–3761

Amend Senate File 380, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 34 the following:

"Sec. 2. Section 419.1, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 15. "Prevailing wage" means the rate of wages paid for work of a similar nature in the locality in which the work under a contract provided for in this chapter is being performed. If a dispute arises as to what are the prevailing rates of wages for work of a similar nature applicable to the contracts which cannot be adjusted by the contracting officer, the dispute shall be referred to the labor commissioner, and the labor commissioner's decision shall be conclusive on all parties to the contract. The labor commissioner shall adopt rules under chapter 17A to carry out this duty. The labor commissioner may institute actions in the district court for temporary or permanent injunctive relief to prevent the letting of a public contract or to void a public contract which is let or entered into

in violation of this chapter. An action shall be instituted in the district court of the county of location of the project. Notwithstanding the Iowa rules of civil procedure, rule 326, if the district court determines the granting of a temporary injunction is appropriate, the court shall issue it without notice and hearing. The prevailing rates of wages shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

Sec. 3. Section 419.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 9. To require that all projects authorized under this chapter be bid at the prevailing wage, as defined in section 419.1, subsection 15."

Schnekloth of Scott rose on a point of order that amendment H—3761 was not germane.

The Speaker ruled the point well taken and amendment H—3761 not germane.

Running of Linn asked for unanimous consent to consider amendment H—3761.

Objection was raised.

Running of Linn moved that the rules be suspended to consider amendment H—3761.

Roll call was requested by Running of Linn and Sherzan of Polk.

On the question "Shall the rules be suspended to consider amendment H—3761?"

The ayes were, 37:

Arnould	Baxter	Buhr	Carl
Chapman	Connolly	Connors	Davitt
Fey	Groninga	Halvorson, R. N.	Hanson
Holveck	Hughes	Jay	Jochum
Knapp	Lloyd-Jones	Miller	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Running	Sherzan
Shoultz	Spear	Sullivan	Swartz
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker (Haverland)			

The nays were, 57:

Anderson	Avenson	Bennett	Black
Blanshan	Carpenter	Carter	Chiodo
Clark	Cochran	Cooper	Copenhaver
Corey	Daggett	De Groot	Diemer
Doderer	Fogarty	Grandia	Gronstal
Groth	Gruhn	Halvorson, R. A.	Hammond
Handorf	Harbor	Hermann	Hoffmann-Bright
Hummel	Koenigs	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Muhlbauer	Mullins	Norland	Paulin
Pellett	Renken	Rensink	Rosenberg
Royer	Schnekloth	Schroeder	Skow
Stromer	Stueland	Swearingen	Tabor
Tofte	Torrence	Van Gerpen	Van Maanen
Welden			

Absent or not voting, 6:

Brammer	Branstad	Lonergan	O'Kane
Pavich	Sturgeon		

The motion lost.

Lloyd-Jones of Johnson offered the following amendment H—3573 filed by Lloyd-Jones, et al. :

H—3573

Amend Senate File 380 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 25, by inserting after the words "engaged in" the word "non-military".

Norland of Worth asked and received unanimous consent that Senate File 380 be deferred and that the bill retain its place on the unfinished business calendar.

(Amendment H—3573 pending.)

On motion by Norland of Worth, the House was recessed at 11:12 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 2, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 537, a bill for an act to provide a property tax levy for equipment replacement for area schools.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 537, by committee on ways and means, a bill for an act to provide a property tax levy for equipment replacement for area schools.

Read first time and referred to committee on **ways and means.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Branstad of Winnebago, until his arrival, on request of Fogarty of Palo Alto.

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 to Senate File 496, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties, appointed May 2, 1983, are: The Senator from Polk, Senator Mann, Chair; the Senator from Dubuque, Senator Carr; the Senator from Woodbury, Senator Doyle; the Senator from Polk, Senator Gentleman; and the Senator from Hardin, Senator Taylor.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Appropriations Calendar

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of **House File 638,** 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

The House stood at ease at 2:20 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 638 at 3:08 p.m., Speaker Avenson in the chair.

Knapp of Dubuque asked and received unanimous consent to withdraw amendment H–3909 filed by him on April 28, 1983.

Knapp of Dubuque offered the following amendment H–3961 filed by him and moved its adoption:

H–3961

Amend House File 638 as follows:
1. Page 2, line 32, by striking the figure "164.23" and inserting in lieu thereof the word and figures "331.421, subsection 5,".

Amendment H–3961 was adopted.

Spear of Lee offered the following amendment H–3911 filed by him and moved its adoption:

H–3911

Amend House File 638 as follows:
1. Page 6, by striking line 29 and inserting in lieu thereof the following: "revert on June 30, 1986 to the fund from which appropriated."

Amendment H–3911 was adopted.

Harbor of Mills offered the following amendment H–3966 filed from the floor by him and Davitt of Warren and moved its adoption:

H–3966

Amend House File 638 as follows:
1. Page 8, by striking line 31 through page 9, line 1, and inserting in lieu thereof the words "approved for the commission."

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

Rule 76 was invoked.

On the question "Shall amendment H—3966 be adopted?"

The ayes were, 47:

Anderson	Bennett	Branstad	Buhr
Carpenter	Clark	Cochran	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fogarty	Grandia	Gruhn
Halvorson, R. A.	Handorf	Harbor	Haverland
Hermann	Hoffmann-Bright	Hughes	Hummel
Lageschulte	Maulsby	McIntee	Menke
Muhlbauer	Mullins	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Skow	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden	Zimmerman	

The nays were, 52:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Carter	Chapman
Chiodo	Connolly	Connors	Cooper
Doderer	Fey	Groninga	Gronstal
Groth	Halvorson, R. N.	Hammond	Hanson
Holveck	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	McKean
Miller	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Mr. Speaker

Absent or not voting, 1:

Lonergan

Amendment H—3966 lost.

Daggett of Taylor in the chair at 3:42 p.m.

Hanson of Delaware offered the following amendment H—3972 filed by him from the floor and moved its adoption:

H–3972

Amend House File 638 as follows:

1. By striking page 8, line 28 through page 9, line 1 and inserting in lieu thereof the following:

"3. From the funds appropriated by subsection 1 the following amounts are allocated for the following international offices:

a. Europe $115,625

b. Mexico $100,000

c. Asia $117,000

The funds allocated for the European office shall be allocated in the following quarterly allotments: July-September, $31,250; October-December, $31,250; January-March, $28,125; March-June, $25,000. It is the intent of the general assembly that by July 1, 1985 at least fifty percent of the funding of the international offices be supported by sources other than the state. The commission is authorized to seek voluntary contributions and impose charges or assessments for the services provided by the international offices."

A non-record roll call was requested.

The ayes were 36, nays 55.

Amendment H–3972 lost.

Knapp of Dubuque offered the following amendment H–3910 filed by him and moved its adoption:

H–3910

Amend House File 638 as follows:

1. Page 14, lines 24 and 25, by striking the words "environmental quality" and inserting in lieu thereof the words "water, air and waste management".

2. Page 14, line 33, by striking the word "resource" and inserting in lieu thereof the word "resources".

3. Page 15, line 4, by striking the word "resource" and inserting in lieu thereof the word "resources".

Amendment H–3910 was adopted.

Jochum of Dubuque offered the following amendment H–3964 filed by him from the floor and moved its adoption:

H–3964

Amend House File 638 as follows:
1. Page 15, line 31, by inserting after the word "account." the words "Attorney fees incurred by the state to obtain these petroleum overcharge funds shall be paid by the comptroller from the interest and earnings on these funds, subject to the approval of the attorney general and the executive council."

Amendment H–3964 was adopted.

Jochum of Dubuque offered the following amendment H–3960 filed by him and moved its adoption:

H–3960

Amend House File 638 as follows:
1. Page 15, by inserting after line 31 the following:
"Sec. 21. There is appropriated from the funds deposited in the general fund under section 20 of this Act to the energy policy council for the fiscal year beginning July 1, 1983 and ending June 30, 1984 the sum of thirty-one thousand eighty (31,080) dollars or so much thereof as may be necessary to be used for the administration of a program of grants to local governments for energy management programs."

Amendment H–3960 was adopted.

Pellett of Cass offered the following amendment H–3968 filed from the floor by him and Paulin of Plymouth and moved its adoption:

H–3968

Amend House File 638 as follows:
1. Page 1, line 14, by striking the figure "1,358,975" and inserting in lieu thereof the figure "1,393,975".
2. Page 1, by inserting after line 30 the following:
"It is the intent of the general assembly that the department provide support for an export sales program."

Roll call was requested by Bennett of Ida and Stueland of Clinton.

On the question "Shall amendment H–3968 be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Maulsby	McIntee	Menke
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	Mr. Speaker (Daggett)

The nays were, 61:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	McKean	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman			

Absent or not voting, 3:

Avenson	Lonergan	Schroeder

Amendment H—3968 lost.

Pellett of Cass offered the following amendment H—3969 filed from the floor by Pellett, Rensink, Paulin and Van Maanen and moved its adoption:

H—3969

Amend House File 638 as follows:

1. Page 1, line 14, by striking the figure "1,358,975" and inserting in lieu thereof the figure "1,361,975".

2. Page 1, by inserting after line 30 the following:

"It is the intent of the general assembly that the department promote lamb consumption and the use of wool in this state by developing a merchandising program and new markets for lamb, wool and mutton."

Roll call was requested by Bennett of Ida and Rensink of Sioux.

On the question "Shall amendment H—3969 be adopted?"

The ayes were, 41:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Jay	Lageschulte	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Mr. Speaker (Daggett)			

The nays were, 56:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jochum	Knapp	Koenigs	Lloyd-Jones
Mualbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman

Absent or not voting, 3:

Krewson	Lonergan	Welden

Amendment H—3969 lost.

Pellett of Cass offered the following amendment H—3970 filed from the floor by him and Paulin of Plymouth and moved its adoption:

H–3970

Amend House File 638 as follows:

1. Page 1, line 14, by striking the figure "1,358,975" and inserting in lieu thereof the figure "1,367,975".

2. Page 1, by inserting after line 30 the following:

"It is the intent of the general assembly that the department promote efforts to establish fruit and vegetables and forestation programs on a statewide basis."

Roll call was requested by Bennett of Ida and Schroeder of Pottawattamie.

On the question "Shall amendment H–3970 be adopted?"

The ayes were, 41:

Anderson	Baxter	Bennett	Branstad
Carpenter	Clark	Corey	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
McKean	Menke	Miller	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Running	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Mr. Speaker (Daggett)			

The nays were, 55:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Sherzan	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Woods	Zimmerman	

Absent or not voting, 4:

Krewson	Lonergan	Sullivan	Welden

Amendment H—3970 lost.

Speaker Avenson in the chair at 4:38 p.m.

Bennett of Ida offered the following amendment H—3975 filed from the floor by Bennett, O'Kane, Miller and Schroeder and moved its adoption:

H—3975

Amend House File 638 as follows:
1. Page 7, line 10, by inserting after the word "lakes" the words "and Pub. L. No. 566 and Little Sioux flood prevention projects".
2. Page 7, line 15, by inserting after the word "lakes" the words "and Pub. L. No. 566 and Little Sioux flood prevention projects".
3. Page 12, line 32, by inserting after the word "lakes" the words "and Pub. L. No. 566 and Little Sioux flood prevention projects".

Roll call was requested by Bennett of Ida and Stueland of Clinton.

On the question "Shall amendment H—3975 be adopted?"

The ayes were, 46:

Anderson	Bennett	Brammer	Branstad
Carpenter	Clark	Corey	Daggett
De Groot	Diemer	Grandia	Groth
Halvorson, R. A.	Halvorson, R.N.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Miller	Mullins
O'Kane	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Sturgeon	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Woods		

The nays were, 52:

Arnould	Baxter	Black	Blanshan

Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Gruhn	Hammond	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sullivan	Swartz
Tabor	Varn	Zimmerman	Mr. Speaker

Absent or not voting, 2:

Lonergan	Welden

Amendment H—3975 lost.

Knapp of Dubuque offered the following amendment H—3971 filed by him from the floor and moved its adoption:

H—3971

Amend House File 638 as follows:
1. Page 8, line 20, by striking the figure "3,116,382" and inserting in lieu thereof the figure "3,106,382".

Amendment H—3971 was adopted.

Stueland of Clinton offered the following amendment H—3974 filed from the floor by Stueland, Schroeder, De Groot and Mullins and moved its adoption:

H—3974

Amend House File 638 as follows:
1. Page 8, line 29, by striking the word "shall" and inserting in lieu thereof the word "may".

Roll call was requested by Stueland of Clinton and Pellett of Cass.

On the question "Shall amendment H—3974 be adopted?"

The ayes were, 43:

Anderson	Bennett	Branstad	Buhr

Carpenter	Clark	Cooper	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hoffmann-Bright	Hummel	Koenigs	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Spear	Stromer	Stueland
Sturgeon	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	

The nays were, 54:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Lloyd-Jones	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 3:

Hermann	Lonergan	Welden

Amendment H—3974 lost.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 638)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia

Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Buhr	Running

Absent or not voting, 2:

Lonergan	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 638)

Norland of Worth asked and received unanimous consent to immediately message House File 638 to the Senate.

SPONSOR WITHDRAWN
(Amendment H–3962 to Senate File 370)

Hughes of Union requested to be withdrawn as a sponsor of amendment H–3962 to Senate File 370.

APPOINTMENTS

Speaker Avenson announced the following appointments:

CAPITOL PLANNING COMMISSION
(Section 18A, Code of Iowa)

Representative Dennis Black ..... Term ending April 30, 1987
Representative Semor Tofte ..... Term ending April 30, 1987

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 29, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 150, an act allowing deaf or blind persons to use and keep hearing or guide dogs and providing a penalty.

House File 199, an act to provide that a person who is required by a soil conservation district to institute soil and water conservation practices or erosion control practices may be required to submit to the district three bids from contractors.

House File 243, an act repealing the requirement to file a certificate of the county treasurer of payment of personal property taxes due on the estate of a decedent.

House File 278, an act defining the role of an auctioneer in selling real property without needing a real estate license.

House File 358, an act relating to the membership of a county enterprise commission.

House File 437, an act to legalize proceedings of the city council of the city of La Porte City relating to the letting of certain contracts.

House File 441, an act to require manufacturers and importers to provide manufacturer's and importer's certificates in the form prescribed by the department of transportation.

House File 444, an act to exempt from registration fees and issue official registration plates for any official vehicle leased for a period of sixty days or more by a governmental body.

House File 572, an act relating to the authority of the court over certain persons who committed crimes.

House File 578, an act relating to certain information and documents containing certain information, involving persons convicted of crimes.

Also: That on May 2, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 53, an act relating to time off for good behavior of inmates.

Senate File 76, an act relating to the penalties for criminal mischief.

Senate File 90, an act regulating credit union share drafts and share draft accounts.

Senate File 118, an act providing for the discontinuation of a tax levy for, and dissolution of, a unified law enforcement district.

Senate File 213, an act providing for the issuance of a single trip permit to transport a mobile home or factory-built structure on the highways of the state where the overall length of the mobile home or factory-built structure and the power unit does not exceed ninety-five feet.

Senate File 231, an act allowing sheriffs to provide abstracts of operating records.

Senate File 281, an act relating to the requirement of notification of immunization of school children.

Senate File 379, an act relating to the motor vehicle code by extending the time period under which a vehicle may be operated under a "registration applied for" card, by extending the time period under which a dealer may file an application for registration and certificate of title, and by allowing a dealer under certain circumstances to display for sale a motor vehicle without first having obtained a certificate of title.

Senate File 391, an act relating to the commission on professional and occupational regulation.

Senate File 431, an act relating to the Iowa commission on aging by establishing a long-term care ombudsman program and transferring the administration of the care review committees of health care facilities to the Iowa commission on the aging.

Senate File 450, an act relating to the registration fees for class "A" motor homes.

Senate File 463, an act permitting intermediate care facilities and skilled nursing facilities to admit patients with histories of dangerous or disturbing behavior.

Senate File 474, an act relating to the practice of chiropractic.

Senate File 485, an act requiring director districts of certain school districts to be redistricted following each federal decennial census as necessary to reflect population changes within the districts.

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 3, your committee on rules and 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:

Position	Name	Grade and Step	Class of Appointment	Eff. Date
Assistant Legal Counsel	Lynette Donner	23-1	S-O	3/28/83
Assistant Legal Counsel	Mark J. McCool	23-1	S-O	4/16/83
Research Analyst	Shirley M. Danskin-White	26-1	P-FT	4/08/83
Administrative Assistant II	M. Kay Agnew	15-1	S-O	1/28/83
Secretary II	Dorothy Potthoff	15-4 + 1 + 1	S-O	2/11/83
Secretary I	Phyllis N. Freel	13-3 + 1	S-O	4/13/83
Secretary II	M. Rosalie Flesher	15-2	S-O	4/18/83
Secretary II	Delores Mulvihill	15-1 + 2	S-O	2/25/83

The following is a resignation from the Officers and Employees of the House:

Assistant Legal Counsel	Christine K. Bishop	3/01/83

FEY of Scott, Chair

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday, April 29, 1983. Had I been present, I would have voted "aye" on House Files 630 and 631 and Senate File 310.

PONCY of Wapello

PRESENTATION OF VISITORS

Schnekloth of Scott presented to the House the Honorable John Pelton, former member of the House representing Clinton County.

The Speaker announced that the following visitors were present in the House chamber:

Eight High School Students from North High School, Des Moines, accompanied by Mrs. Snyder, Mrs. Johansen and Joe Russo. By Sherzan and Buhr of Polk.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1983-13	Jeno M. Berta, Davenport — Eagle Scout Award
1983-14	Sutherland High School, Sutherland — Jazz Band won first place in state contest
1983-15	Scott Boone, Hartley — Eagle Scout Award
1983-16	Michael Back, Primghar — Eagle Scout Award
1983-17	Regina McGill, Bettendorf — Best secondary school physical education teacher in the nation
1983-18	Community of Gravity — Centennial
1983-19	Community of Tingley — Centennial
1983-20	Community of Packwood — Centennial

JOSEPH O'HERN
Chief Clerk of the House

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1982, and ending June 30, 1984.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 2, 1983.

AMENDMENTS FILED

H—3963	H.F.	634	Hammond of Story
H—3965	H.F.	639	Copenhaver of Buchanan
H—3967	H.F.	636	Spear of Lee
H—3976	H.F.	635	Groninga of Cerro Gordo
H—3977	S.F.	370	Fogarty of Palo Alto Schroeder of Pottawattamie

H—3978	H.F.	633	Chiodo of Polk
H—3979	S.F.	370	Skow of Guthrie
			Halvorson of Clayton
H—3980	S.F.	370	Schroeder of Pottawattamie
Anderson of Audubon			Bennett of Ida
Van Camp of Scott			Tofte of Winneshiek
Torrence of Muscatine			Branstad of Winnebago
Hoffmann-Bright of Muscatine			Corey of Louisa
Schnekloth of Scott			Rensink of Sioux
Maulsby of Calhoun			Pellett of Cass
Lageschulte of Bremer			Handorf of Marshall
Welden of Hardin			De Groot of Lyon
Swearingen of Keokuk			Hermann of Scott
Renken of Grundy			Paulin of Plymouth
Daggett of Taylor			Van Maanen of Mahaska
Diemer of Black Hawk			Halvorson of Clayton
Harbor of Mills			Menke of O'Brien
Stueland of Clinton			Grandia of Marion
Van Gerpen of Black Hawk			Royer of Page
Skow of Guthrie			Fogarty of Palo Alto
Oxley of Linn			Swartz of Marshall
Koenigs of Mitchell			Cooper of Lucas
Hughes of Union			Gruhn of Dickinson
Jochum of Dubuque			Blanshan of Greene
Knapp of Dubuque			Poncy of Wapello
Sullivan of Van Buren			Muhlbauer of Crawford
Peick of Linn			Chiodo of Polk
Baxter of Des Moines			Clark of Cerro Gordo
Carpenter of Polk			Fey of Scott
Cochran of Webster			Spear of Lee
Connolly of Dubuque			Miller of Woodbury
Copenhaver of Buchanan			Groninga of Cerro Gordo
Woods of Polk			Renaud of Polk
			Tabor of Jackson

On motion by Norland of Worth, the House adjourned at 4:58 p.m., until 9:00 a.m., Tuesday, May 3, 1983.

JOURNAL OF THE HOUSE

One Hundred Fourteenth Calendar Day — Seventy-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 3, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father John A. Vakulskas, pastor of St. Mary's Catholic Church, Dow City and St. Joseph's Catholic Church, Buck Grove.

The Journal of Monday, May 2, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Davitt of Warren, until his arrival, on request of Cochran of Webster.

PETITIONS FILED

The following petitions were received opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Blanshan of Greene, from fifty-three residents of the 88th District.

By Grandia of Marion, from fifty-five constituents of the 69th District.

By Harbor of Mills, from fifty-three residents of Montgomery County.

By Poncy of Wapello, from thirty-three constituents of the 65th District.

By Schroeder of Pottawattamie, from thirty-five constituents of the 98th District.

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 29, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 531, 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.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Regular Calendar

House File 636, a bill for an act to allow the state department of transportation to issue until June 30, 1986, annual special permits for the operation of compacted rubbish vehicles and vehicles which transport compacted rubbish from the point of collection to a landfill area, which vehicles have a rear axle gross weight for two-axle vehicles not exceeding twenty-two thousand pounds, with report of committee recommending passage was taken up for consideration.

Spear of Lee offered the following amendment H–3967 filed by him and moved its adoption:

H–3967

Amend House File 636 as follows:

1. Page 1, line 4; by striking the words "compacted rubbish" and inserting in lieu thereof the words "~~compacted rubbish~~ compacted-rubbish".

2. Page 1, line 20, by striking the words "Compacted rubbish" and inserting in lieu thereof the words "~~Compacted rubbish~~ Compacted-rubbish".

3. Amend the title, line 3, by striking the words "compacted rubbish" and inserting in lieu thereof the words "compacted-rubbish".

Amendment H–3967 lost.

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?" (H.F. 636)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Menke	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Paulin	Pavich	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Davitt	Groninga	Lonergan	Miller
Muhlbauer	Parker	Zimmerman	

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 634**, a bill for an act relating to lotteries by providing for a state lottery, an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty for their commission, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund, deferred and retained on the regular calendar on April 29, 1983 and May 2, 1983.

The Speaker announced that with the adoption of amendment H—3899, as amended, the following amendments are out of order:

H—3902 filed by Schnekloth of Scott on April 28, 1983.
H—3906 filed by Hanson of Delaware on April 28, 1983.
H—3917 filed by Rosenberg of Story on April 28, 1983.

The House stood at ease at 9:27 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 634 at 10:21 a.m., Speaker Avenson in the chair.

Doderer of Johnson offered the following amendment H—3936 filed by her and Hanson of Delaware and moved its adoption:

H—3936

Amend House File 634 as follows:
1. Page 1, line 13, by inserting after the word "shares." the words "The licensee shall be responsible for the licensee's employees' conduct which is within the scope of this Act."
2. Page 1, by striking line 14.
3. Page 10, line 14, by striking the words "a licensed agent" and inserting in lieu thereof the words "an employee of the licensee who is authorized by the licensee to sell tickets".
4. Page 10, line 21, by striking the words "a licensed agent" and inserting in lieu thereof the words "an employee of the licensee who is authorized by the licensee to sell tickets".

Amendment H—3936 was adopted.

Hanson of Delaware offered amendment H—3907 filed by Hanson, et al., and requested division as follows:

H—3907

Amend House File 634 as follows:

H—3907A

1. Page 2, line 23, by inserting after the word "when" the word "fully".

H–3907B

2. Page 3, by inserting after line 8 the following:
" . The fees charged for a license to sell lottery tickets or shares. The commissioner shall determine the cost incurred in processing applications for a license and set the license fee to cover that cost except a license fee shall not be less than fifty dollars per year. Revenue received by the lottery from license fees shall be transferred to the lottery fund quarterly after the cost of processing license applications is deducted."

H–3907C

3. Page 4, by striking lines 25 and 26 and inserting in lieu thereof the words "A person under the age of eighteen shall not be a licensed agent."
4. Page 5, line 26, by striking the word "six" and inserting in lieu thereof the word "five".
5. Page 7, line 19, by inserting after the word "lottery." the following: "A person who violates this section is guilty of a serious misdemeanor."

H–3907D

6. Page 8, by inserting after line 29 the following: "A business' profits from the sale of lottery tickets shall not exceed ten percent of the profits of the business."

H–3907E

7. Page 10, by inserting after line 9 the following:
"3. A license shall not be suspended for less than one hundred twenty days. A former licensee whose license is revoked shall not be eligible to receive another license until one year from the date of license revocation."

H–3907F

8. Page 10, by striking lines 17 through 25 and inserting in lieu thereof the following:
"2. A ticket shall not be sold to a person defined as a minor in section 599.1. This does not prohibit the lawful purchase of a ticket for the purpose of making a gift to a person who has not yet reached the age of majority. A licensee or a licensed agent who knowingly sells or offers to sell a lottery ticket

or share to a person who has not reached the age of majority is guilty of a simple misdemeanor. A prize won by a person who has not reached the age of majority but who purchases a winning ticket in violation of this subsection shall be forfeited."

H—3907G

9. Page 11, by inserting after line 3 the following:

"All cash prizes are considered Iowa earned income. Before a prize is awarded the commissioner or the commissioner's designee shall deduct an amount equal

Page 2

to that amount necessary to pay the state and the federal taxes on the prize. An amount deducted from the prize for payment of a federal tax shall be transferred by the commissioner to the federal department of revenue on behalf of the prize winner. An amount deducted from the prize for payment of a state tax shall be transferred by the commissioner to the state department of revenue on behalf of the prize winner."

H—3907A

10. By numbering, renumbering and correcting internal references as necessary.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H—3907C.

On motion by Hanson of Delaware, amendment H—3907A was adopted.

On motion by Hanson of Delaware, amendment H—3907B was adopted.

Schnekloth of Scott offered the following amendment H—3905 filed by him and moved its adoption:

H—3905

Amend House File 634 as follows:

1. Page 3, line 9, by inserting after the word "conducted" the words "other than "instant winner"

and "instant payoff" games which are prohibited".
2. Page 3, line 30, by inserting after the word "tickets" the words ", subject to the limitations in paragraph a of this subsection,".
3. Page 4, by striking lines 5 and 6, and inserting in lieu thereof the words "in the single prize."

A non-record roll call was requested.

The ayes were 46, nays 50.

Amendment H—3905 lost.

Torrence of Muscatine offered the following amendment H—3921 filed by Torrence, et al., and moved its adoption:

H—3921

Amend House File 634 as follows:
1. Page 3, line 9, by striking the words "In any" and inserting in lieu thereof the following: "Video lottery games shall be prohibited. In any other type of":

Amendment H—3921 was adopted.

Chiodo of Polk offered the following amendment H—3927 filed by him and moved its adoption:

H—3927

Amend House File 634 as follows:
1. Page 3, line 10, by inserting after the word "utilizing" the word "instant".

Amendment H—3927 was adopted.

Hughes of Union asked and received unanimous consent to withdraw amendment H—3913 filed by him on April 28, 1983.

Connors of Polk in the chair at 10:48 a.m.

Carl of Poweshiek offered the following amendment H—3920 filed by her and moved its adoption:

H–3920

Amend House File 634 as follows:

1. Page 4, by striking lines 22 through 23 and inserting in lieu thereof the following: "shall be printed on each ticket."

2. Page 4, by striking lines 30 through 31 and inserting in lieu thereof the following:

"k. The form and type of informational and educational material to be distributed. The lottery shall not be promoted in any way and the information distributed by the lottery shall be constructed and distributed in a manner which reasonably could not be construed as promoting or advertising the lottery."

3. Page 5, by striking lines 25 through 27 and inserting in lieu thereof the following: "determined. Expenses for educational and informational material shall not exceed one-half of one percent of the lottery revenue. Lottery funds shall not be used for the purpose of promoting or advertising the lottery. Revenue remaining after".

4. By lettering and relettering as necessary.

Roll call was requested by Carl of Poweshiek and Hammond of Story.

On the question "Shall amendment H–3920 be adopted?"

The ayes were, 53:

Anderson	Bennett	Black	Branstad
Carl	Carpenter	Carter	Clark
Copenhaver	Corey	Daggett	De Groot
Diemer	Grandia	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hummel	Jochum	Krewson	Lageschulte
Lloyd-Jones	Maulsby	McKean	Menke
Mullins	O'Kane	Osterberg	Oxley
Paulin	Pellett	Poncy	Renken
Rensink	Rosenberg	Royer	Schnekloth
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 45:

Arnould	Avenson	Baxter	Blanshan
Brammer	Buhr	Chapman	Chiodo
Cochran	Connolly	Cooper	Doderer

Fey	Fogarty	Groninga	Gronstal
Groth	Halvorson, R. N.	Hughes	Jay
Knapp	Koenigs	McIntee	Miller
Muhlbauer	Norland	Ollie	Parker
Pavich	Peick	Renaud	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Connors)			

Absent or not voting, 2:

Davitt	Lonergan

Amendment H—3920 was adopted placing out of order the following amendments:

H—3901 filed by Schnekloth of Scott on April 28, 1983.
H—3916 filed by Rosenberg of Story on April 28, 1983.
H—3922 filed by Grandia, et al., on April 28, 1983.
H—3923 filed by Handorf, et al., on April 28, 1983.
H—3930 filed by O'Kane of Woodbury on April 29, 1983.
H—3963, to amendment H—3930, filed by Hammond of Story on May 2, 1983.

Norland of Worth asked and received unanimous consent that House File 634 be temporarily deferred and that the bill retain its place on the calendar.

IMMEDIATE MESSAGE
(House File 636)

Norland of Worth asked and received unanimous consent to immediately message House File 636 to the Senate.

On motion by Norland of Worth, the House was recessed at 11:22 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 641, by committee on appropriations, a bill for an act relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Read first time and referred to committee on **finance.**

SENATE MESSAGE CONSIDERED

Senate File 531, 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 referred to committee on **appropriations.**

The House stood at ease at 1:24 p.m., until the fall of the gavel.

The House resumed session at 2:28 p.m., Speaker Avenson 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 2, 1983, insisted on its amendment to House File 343, a bill for an act authorizing the conservation commission to protect and manage all wild vertebrates, and the members of the conference committee, on the part of the Senate, appointed May 3, 1983, are: The Senator from Warren, Senator Van Gilst, Chair; the Senator from Wapello, Senator Gettings; the Senator from Clinton, Senator Goodwin; the Senator from Linn, Senator Hall; and the Senator from Pottawattamie, Senator Hester.

K. MARIE THAYER, Secretary

The House resumed consideration of **House File 634,** a bill for an act relating to lotteries by providing for a state lottery, an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty for their commission, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund, temporarily deferred.

The House resumed consideration of amendment H–3946B, found on page 1679 of the House Journal.

Schroeder of Pottawattamie moved the adoption of amendment H–3946B.

A non-record roll call was requested.

The ayes were 43, nays 51.

Amendment H–3946B lost.

Harbor of Mills offered the following amendment H–3940 filed by him and moved its adoption:

H–3940

Amend House File 634 as follows:

1. Page 5, line 29, by inserting after the word "basis." the following: "Prior to the quarterly transfer to the general fund, the commissioner may direct that lottery revenue be deposited in interest bearing accounts in the financial institutions of this state. Interest paid on the deposits is considered lottery revenue and shall be transferred to the general fund in the same manner as other lottery revenue."

Amendment H–3940 was adopted.

Hanson of Delaware offered the following amendment H–3903 filed by him:

H–3903

Amend House File 634 as follows:

1. Page 5, by striking lines 28 and 29, and inserting in lieu thereof the following: "expenses are determined shall be transferred to the unemployment trust fund on a quarterly basis except as provided under this section."

2. By striking page 5, line 34 through page 6, line 14 and inserting in lieu thereof the following:

"3. Except for funds transferred under subsection 2 lotterly funds shall be transferred to the unemployment trust fund until the balance in the trust fund is positive and equals one and one-half times

the highest calendar year payout from the fund. When the balance in the unemployment trust fund reaches one and one-half times the highest calendar year payout lottery funds shall be transferred to the general fund on a quarterly basis."

3. By numbering and renumbering as necessary.

Hanson of Delaware asked and received unanimous consent to defer action on amendment H—3903.

Schnekloth of Scott offered the following amendment H—3928 filed by him:

H—3928

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "first be retained in the general fund so that gross receipts from the sale, service or replacement parts of business machinery and equipment which are depreciable for state and federal income tax purposes shall be exempt from the state sales, service and use tax imposed under chapter 422. 4. Remaining lottery revenue shall".

2. Title page, line 9, by inserting after the word "fund" the words ", exempting business machinery and equipment from sales tax,".

3. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Chiodo of Polk rose on a point of order that amendment H—3928 was not germane.

The Speaker ruled the point well taken and amendment H—3928 not germane.

Mullins of Kossuth offered the following amendment H—3929 filed by Mullins, et al., and moved its adoption:

H—3929

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be appropriated for the fiscal year beginning on July 1, 1983 and ending on June 30, 1984 to the state board of regents for use by the land use analysis laboratory of the department

of agronomy at the Iowa state university of science and technology as provided in this subsection. The appropriation shall not exceed eighty-eight thousand five hundred dollars or as much thereof as is necessary and shall be used in the development of computer programs to analyze soils and land use data, the encoding of land use data, and for computer analysis of Iowa soils association maps and related land use and land cover data.

4. Funds remaining shall".

2. By renumbering and correcting internal references as necessary.

3. Title page, line 9, by inserting after the word "appropriated" the words "to the state board of regents and appropriated".

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H–3929 be adopted?"

The ayes were, 42:

Anderson	Bennett	Branstad	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hummel	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Rosenberg	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen		

The nays were, 54:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. N.	Haverland
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Running	Sherzan
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 4:

Carpenter	Lonergan	Shoultz	Welden

Amendment H—3929 lost.

McIntee of Black Hawk offered the following amendment H—3931 filed by McIntee, et al.:

H—3931

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "first be retained in the general fund so that gross receipts from sales, furnishing or service of residential fuels will be exempt from the sales, service, and use tax imposed by chapter 422 as follows:

a. All fuel oil, coal, wood, steam, propane gas, and liquefied petroleum gas sold to customers for residential use.

b. Natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential fuel.

c. Electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential power.

4. Remaining lottery revenue shall".

2. Title page, line 9, by inserting after the word "fund" the words ", exempting sales, furnishing and service of residential fuel from sales tax,".

3. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Chiodo of Polk rose on a point of order that amendment H—3931 was not germane.

The Speaker ruled the point well taken and amendment H—3931 not germane.

Daggett of Taylor offered the following amendment H—3932 filed by Daggett, et al., and moved its adoption:

H–3932

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be appropriated as provided in this subsection and the remaining subsections of this section. There is appropriated for each fiscal year beginning July 1, 1983 to the state board of regents for deposit in the institutional vitality and quality fund a sum equal to seven million dollars or as much thereof as is necessary.

4. Lottery funds remaining in the general fund shall".

2. Title page, line 9, by inserting after the word "appropriated" the words "to the state board of regents and appropriated".

3. By renumbering and correcting internal references as necessary.

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H–3932 be adopted?"

The ayes were, 44:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Holveck	Hummel
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 52:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Fey	Fogarty	Groninga	Gronstal
Groth	Halvorson, R. N.	Haverland	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy

Renaud	Sherzan	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 4:

Doderer	Krewson	Lonergan	Shoultz

Amendment H— 3932 lost.

Pellett of Cass offered the following amendmeent H—3938 filed by Pellett, et al. :

H—3938

Amend House File 634 as follows:
1. Page 5, line 35, by inserting after the word "shall" the following: "be appropriated as provided in this subsection and the remaining subsections in this section. There is appropriated for the fiscal years beginning July 1, 1983 and ending June 30, 1985 to the state interagency resource council for equal distribution to the counties a sum equal to one hundred fifty thousand dollars or as much thereof as is necessary to assist counties in the development of land use inventories. Prior to receiving funds appropriated to the state interagency resource council under this subsection each county shall submit a detailed account of the costs incurred in developing the land use inventory.
4. Funds remaining shall".
2. Title page, line 9, by inserting after the word "appropriated" the words "to the state interagency resource council and appropriated".
3. By renumbering and correcting internal references as necessary.

Pellett of Cass offered the following amendment H—3985, to amendment H—3938, filed by him from the floor and moved its adoption:

H—3985

Amend amendment H—3938 to page 5 of House File 634 as follows:
1. Page 1, line 8, by striking the word "counties" and inserting in lieu thereof the words "county land use commission".
2. Page 1, line 10, by striking the word "counties" and inserting in lieu thereof the words "the

commissions".

3. Page 1, line 13, by striking the word "county" and inserting in lieu thereof the word "commission".

Amendment H—3985 was adopted.

Pellett of Cass moved the adoption of amendment H—3938, as amended.

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3938, as amended, be adopted?"

The ayes were, 43:

Anderson	Bennett	Black	Blanshan
Brammer	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 54:

Arnould	Baxter	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 3:

Copenhaver	Krewson	Lonergan

Amendment H—3938, as amended, lost.

Hoffmann-Bright of Muscatine offered the following amendment H—3939 filed by her and Van Camp of Scott and moved its adoption:

H—3939

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be first allocated as follows:

a. One percent of the lottery revenue shall be used to provide services for compulsive gamblers.

b. Five million dollars to the Iowa department of substance abuse.

'4. Remaining lottery revenue shall".

2. Title page, line 9, by inserting after the word "appropriated" the words "to provide services to compulsive gamblers, the Iowa department of substance abuse, and".

3. Renumber sections and correct internal references as are necessary.

Roll call was requested by Hoffmann-Bright of Muscatine and Krewson of Polk.

On the question "Shall amendment H—3939 be adopted?"

The ayes were, 43:

Anderson	Bennett	Brammer	Branstad
Carpenter	Clark	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Miller	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Sherzan	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 55:

Arnould	Baxter	Black	Blanshan
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond

Haverland	Holveck	Hughes	Jay
Jochum	Koenigs	Lloyd-Jones	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 2:

Knapp	Lonergan

Amendment H—3939 lost.

Groninga of Cerro Gordo in the chair at 3:27 p.m.

Maulsby of Calhoun offered the following amendment H—3942 filed by him and moved its adoption:

H—3942

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall", the following: "be transferred to the department of human services to supplement the medical assistance appropriation in amounts necessary to allow the maximum medical assistance reimbursement rate for intermediate care facilities to be established semi-annually at the seventy-fourth percentile of residents' per diems calculated from the most recent unaudited financial reports on file as of June 30th and December 31st of each year.

4. The remaining lottery revenue shall".

2. By renumbering as necessary.

Roll call was requested by De Groot of Lyon and McKean of Jones.

On the question "Shall amendment H—3942 be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee

McKean	Menke	Miller	Mullins
O'Kane	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen

The nays were, 57:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Groninga)			

Absent or not voting, 3:

Daggett	Lonergan	Welden

Amendment H—3942 lost.

Halvorson of Clayton offered the following amendment H—3943 filed by Halvorson of Clayton, et al., and moved its adoption:

H—3943

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be appropriated as provided in this subsection and the remaining subsections in this section. There is created the public outdoor recreation and resources fund and there is appropriated from the lottery funds transferred to the general fund for deposit in the public outdoor recreation and resources fund for the fiscal year beginning July 1, 1983 and ending on June 30, 1984 a sum equal to six million, six hundred thousand dollars or as much thereof as is necessary. Funds appropriated under this subsection shall be expended by the advisory council for the public outdoor recreation and resources

fund. The advisory council shall consist of a public member appointed by the governor from each congressional district, the chairperson of the state conservation commission, and the director of the state conservation commission. The council shall elect a chairperson annually, and the director shall serve as council secretary. Persons already serving in an elected or appointed governmental capacity are not eligible to serve as council members. Appointments shall be made for the three-year terms beginning July 1, in the year of the appointment. The advisory council shall expend funds appropriated under this subsection solely to carry out the provisions of chapter 111.

4. Lottery funds remaining in the general fund shall".

2. Title page, line 9, by inserting after the word "appropriated" the words "to the public outdoor recreation and resources fund and appropriated".

3. By renumbering and correcting internal references as necessary.

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

Rule 76 was invoked.

On the question "Shall amendment H–3943 be adopted?"

The ayes were, 42:

Anderson	Bennett	Black	Branstad
Carpenter	Clark	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Sullivan	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 56:

Arnould	Avenson	Baxter	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Gronstal

Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Groninga)

Absent or not voting, 2:

Lonergan	O'Kane

Amendment H—3943 lost.

Lageschulte of Bremer offered the following amendment H—3944 filed by him and moved its adoption:

H—3944

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be first allocated as follows:

a. Eighteen million dollars shall be transferred to the municipal assistance fund.

b. Seven million dollars shall be transferred to the county government assistance fund.

4. Remaining lottery revenue shall".

2. Title page, line 9, by inserting after the word "fund" the words ", the municipal assistance fund, the county government assistance fund,".

3. Renumber sections and correct internal references as necessary.

Roll call was requested by Lageschulte of Bremer and Stueland of Clinton.

On the question "Shall amendment H—3944 be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Gronstal	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke

Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen

The nays were, 57:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Groninga)			

Absent or not voting, 3:

Lonergan	O'Kane	Welden

Amendment H—3944 lost.

McIntee of Black Hawk offered the following amendment H—3947 filed by him:

H—3947

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be first retained in the general fund and then shall be appropriated to the department of revenue in an amount sufficient to provide a tax credit on all sales, service, and use taxes imposed by chapter 422 on residential fuels. As used in this subsection the term "residential fuels" means:

a. All fuel oil, coal, wood, steam, propane gas, and liquefied petroleum gas sold to customers for residential use.

b. Natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source

of residential fuel.
c. Electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential power.
The department of revenue shall adopt rules implementing the tax credit for which funds under this subsection are appropriated.
4. Remaining lottery revenue shall".
2. Title page, line 9, by inserting after the word "appropriated" the words "to the department of revenue for a sales tax credit on residential fuels and".
3. Renumber sections and correct internal references as necessary.

Chiodo of Polk 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.

McIntee of Black Hawk asked for unanimous consent to consider amendment H—3947.

Objection was raised.

McIntee of Black Hawk moved that the rules be suspended to consider amendment H—3947.

Roll call was requested by McIntee of Black Hawk and Stueland of Clinton.

On the question "Shall the rules be suspended to consider amendment H—3947?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Running	Schnekloth	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 56:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Groninga)

Absent or not voting, 5:

Cochran	Harbor	Lonergan	O'Kane
Schroeder			

The motion lost.

Hermann of Scott offered the following amendment H–3948 filed by Hermann, et al.:

H–3948

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "first be retained in the general fund so that gross receipts from the sale, service or replacement parts of industrial equipment and machinery which are depreciable for state and federal income tax purposes shall be exempt from the state sales, service and use tax imposed under chapter 422.

4. Remaining lottery revenue shall".

2. Title page, line 9, by inserting after the word "fund" the words ", exempting industrial machinery and equipment from sales tax,".

3. Renumbering sections and correct internal references as are necessary in accordance with this amendment.

Chiodo of Polk rose on a point of order that amendment H–3948 was not germane.

The Speaker ruled the point well taken and amendment H–3948 not germane.

Stromer of Hancock offered the following amendment H–3949 filed by him and Schroeder of Pottawattamie and moved its adoption:

H–3949

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be first allocated as follows:

a. First, an amount shall be appropriated to the department of revenue for deposit in the homestead credit fund which is sufficient to permit increasing the homestead tax credit authorized under section 425.1, subsection 2, to six thousand dollars of actual value of an eligible homestead.

b. Nine million dollars shall be deposited in the agricultural land credit fund.

4. Remaining lottery revenue shall".

2. Page 12, by inserting after line 21 the following:

"Sec. . Section 425.1, subsection 2, Code 1983, is amended to read as follows:

2. The homestead credit fund shall be apportioned each year so as to give a credit against the tax on each eligible homestead in the state in an amount equal to the actual levy on the first four thousand eight hundred fifty dollars of actual value for each homestead. However, if there is sufficient revenue from the Iowa lottery, then the homestead credit fund shall be apportioned each year so as to give a credit against the tax on each eligible homestead in the state in an amount equal to the actual levy on the first six thousand dollars of actual value for each homestead.

Sec. . Section 425.1, subsection 4, Code 1983, is amended to read as follows:

4. Annually the department of revenue shall estimate the credit not to exceed the actual levy on the first four thousand eight hundred fifty dollars of actual value of each eligible homestead~~, and~~. However, if there is sufficient revenue from the Iowa lottery, the credit shall not exceed the actual levy on the first six thousand dollars of actual value of each eligible homestead. The department of revenue shall certify to the county auditor of each county the credit and its amount in dollars. Each county auditor shall then enter the credit against the tax levied on each eligible homestead in each county payable during the ensuing year, designating on the tax lists the credit as being from the homestead

credit fund, and credit shall then be given to the several taxing districts in which eligible homesteads are located in an amount equal to the credits allowed on the taxes of the homesteads. The amount of credits shall be apportioned by each county treasurer to the several taxing districts as provided by law, in the

Page 2

same manner as though the amount of the credit had been paid by the owners of the homesteads. However, the several taxing districts shall not draw the funds so credited until after the semiannual allocations have been received by the county treasurer, as provided in this chapter. Each county treasurer shall show on each tax receipt the amount of credit received from the homestead credit fund.

Sec. . Section 426.1, Code 1983, is amended to read as follows:

426.1 AGRICULTURAL LAND CREDIT FUND. There is hereby created as a permanent fund in the office of the treasurer of state a fund to be known as the agricultural land credit fund, and for the purpose of establishing and maintaining said fund for each fiscal year there is appropriated thereto from funds in the general fund not otherwise appropriated the sum of forty-three million five hundred thousand dollars. However, if there is sufficient revenue from the Iowa lottery, an additional nine million dollars shall be appropriated to the agricultural land credit fund. Any balance in said fund on June 30 shall revert to the general fund."

3. Title page, line 9, by inserting after the word "appropriated" the words "to the homestead credit fund, the agricultural land credit fund, and".

4. Renumber sections and correct internal references as necessary.

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—3949 be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby

McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 57:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Davitt
Doderer	Fey	Fogarty	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Groninga)			

Absent or not voting, 3:

Copenhaver	Lonergan	O'Kane

Amendment H—3949 lost.

Harbor of Mills offered the following amendment H—3950 filed by Harbor, et al., and moved its adoption:

H—3950

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be first allocated so that ten million dollars is deposited in the special railroad facility fund.

4. Remaining lottery revenue shall".

2. Title page, line 9, by inserting after the word "fund" the words "and the special railroad facility fund".

3. Renumber sections and correct internal references as are necessary.

Roll call was requested by Harbor of Mills and Arnould of Scott.

On the question "Shall amendment H—3950 be adopted?"

The ayes were, 41:

Anderson	Bennett	Black	Branstad
Carpenter	Clark	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 52:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Chapman	Chiodo
Cochran	Connolly	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Miller	Muhlbauer	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Groninga)

Absent or not voting, 7:

Avenson	Carter	Connors	Lonergan
Norland	O'Kane	Swartz	

Amendment H—3950 lost.

Bennett of Ida offered the following amendment H—3956 filed by him:

H—3956

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "first be retained in the general fund so that gross receipts from the sale, service or replacement parts of agricultural equipment

and machinery which are depreciable for state and federal income tax purposes shall be exempt from the state sales, services, and use tax imposed under chapter 422.

4. Remaining lottery revenue shall".

2. Title page, line 9, by inserting after the word "fund" the words ", exempting agricultural equipment and machinery from sales tax,".

3. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Chiodo of Polk rose on a point of order that amendment H—3956 was not germane.

The Speaker ruled the point well taken and amendment H—3956 not germane.

Bennett of Ida asked for unanimous consent to consider amendment H—3956.

Objection was raised.

Bennett of Ida moved that the rules be suspended to consider amendment H—3956.

A non-record roll call was requested.

The ayes were 39, nays 52.

The motion lost.

Maulsby of Calhoun asked and received unanimous consent to withdraw amendment H—3957 filed by him on April 29, 1983.

Krewson of Polk offered the following amendment H—3984 filed by him from the floor and moved its adoption:

H—3984

Amend House File 634 as follows:

1. Page 5, line 35 by inserting after the word "shall", the words "be transferred to the department of corrections as necessary for capital construction at the Iowa state penitentiary at Fort Madison to renovate the facility for use as a maximum security institution for the next thirty years.

8 4. Remaining funds shall".
9 2. Renumbering as necessary.

Roll call was requested by Krewson of Polk and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H–3984 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	McIntee	McKean
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 54:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Doderer	Fey	Fogarty	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Miller
Muhlbauer	Norland	Ollie	Osterberg
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Zimmerman	Mr. Speaker (Groninga)		

Absent or not voting, 9:

Davitt	Harbor	Lloyd-Jones	Lonergan
Maulsby	O'Kane	Oxley	Stromer
Woods			

Amendment H–3984 lost.

Connors of Polk asked and received unanimous consent to defer action on amendment H–3937.

Cochran of Webster offered the following amendment H–3926 filed by Cochran, et al., and moved its adoption:

H–3926

Amend House File 634 as follows:
1. Page 6, lines 13 and 14 by striking the word "forty-two" and inserting in lieu thereof the word "twelve".

Roll call was requested by Stromer of Hancock and Bennett of Ida.

On the question "Shall amendment H–3926 be adopted?"

The ayes were, 55:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Gronstal	Groth	Halvorson, R. N.	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Poncy	Renaud	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker (Groninga)	

The nays were, 42:

Anderson	Bennett	Branstad	Carpenter
Clark	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Oxley	Paulin	Pellett	Renken
Rensink	Rosenberg	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 3:

Corey	Krewson	Lonergan

Amendment H–3926 was adopted.

Schnekloth of Scott offered the following amendment H—3941 filed by Schnekloth, et al., and moved its adoption:

H—3941

Amend House File 634 as follows:
1. Page 6, line 14, by inserting after the word "dollars." the words "The comptroller shall not include lottery revenues in his fiscal year estimates."

Amendment H—3941 was adopted.

O'Kane of Woodbury asked and received unanimous consent to withdraw amendment H—3937 filed by him on April 29, 1983.

Schnekloth of Scott offered the following amendment H—3945 filed by Schnekloth, et al., and moved its adoption:

H—3945

Amend House File 634 as follows:
1. Page 6, by striking lines 3 through 14 and inserting in lieu thereof the following: "to the unemployment trust fund shall continue until the director of the Iowa department of job service certifies that a positive balance exists in the unemployment trust fund for the previous quarter. After a positive balance exists in the unemployment trust fund, lottery revenues transferred to the general fund shall be appropriated to the treasurer of state for deposit in the agricultural land credit fund. The funds appropriated shall be of an amount sufficient to pay agricultural land credits in full as provided under chapter 426."
2. Title page, line 10, by inserting after the word "fund" the words "and to the treasurer of state for deposit in the agricultural land credit fund".
3. By renumbering and correcting internal references as necessary.

Roll call was requested by Schnekloth of Scott and Stueland of Clinton.

On the question "Shall amendment H—3945 be adopted?"

The ayes were, 40:

Anderson Bennett Branstad Carpenter

Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 59:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker (Groninga)	

Absent or not voting, 1:

Lonergan

Amendment H—3945 lost.

Speaker Avenson in the chair at 5:03 p.m.

Corey of Louisa offered the following amendment H—3952 filed by him and moved its adoption:

H—3952

Amend House File 634 as follows:

1. Page 6, by striking lines 3 through 14 and inserting in lieu thereof the following: "to the unemployment trust fund shall continue until the director of the Iowa department of job service certifies that a positive balance exists in the unemployment trust fund for the previous quarter. Thereafter lottery revenue transferred to the general

fund in an amount equal to two hundred thousand dollars shall be annually appropriated to the office of consumer advocate for the purpose of funding the office. Lottery revenue transferred to the general fund shall remain after transfer and appropriation as provided in this section in the general fund subject to appropriation in the same manner as other general fund revenues."

2. Title page, line 10, by inserting after the word "fund" the words "and to the office of consumer advocate".

3. By renumbering and correcting internal references as necessary.

Roll call was requested by Corey of Louisa and Stueland of Clinton.

On the question "Shall amendment H–3952 be adopted?"

The ayes were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen		

The nays were, 59:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 3:

Krewson	Lonergan	Welden

Amendment H—3952 lost.

Hanson of Delaware offered the following amendment H—3904 filed by him and McIntee of Black Hawk and moved its adoption:

H—3904

Amend House File 634 as follows:
1. By striking page 5, line 34 through page 6, line 14.
2. By numbering and renumbering as necessary.

Roll call was requested by Hanson of Delaware and Menke of O'Brien.

On the question "Shall amendment H—3904 be adopted?"

The ayes were, 41:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
O'Kane	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 56:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Miller	Muhlbauer	Norland	Ollie
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear

Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 3:

Gruhn	Lonergan	Osterberg

Amendment H—3904 lost.

The House resumed consideration of amendment H—3903 found on pages 1728 and 1729 of the House Journal.

Arnould of Scott in the chair at 5:12 p.m.

Hanson of Delaware asked and received unanimous consent to amend amendment H—3903 by striking the word "lotterly" and inserting in lieu thereof the word "lottery" on line 10.

Hanson of Delaware moved the adoption of amendment H—3903, as amended.

Roll call was requested by Hanson of Delaware and Schroeder of Pottawattamie.

On the question "Shall amendment H—3903, as amended, be adopted?"

The ayes were, 47:

Anderson	Bennett	Black	Branstad
Carpenter	Chapman	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Gruhn	Halvorson, R. A.	Handorf	Hanson
Hermann	Hoffmann-Bright	Hughes	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Miller	Mullins
O'Kane	Paulin	Pellett	Renken
Rensink	Royer	Running	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden	Zimmerman	

The nays were, 50:

Avenson	Baxter	Blanshan	Brammer
Buhr	Carl	Carter	Chiodo
Cochran	Connolly	Connors	Cooper

Copenhaver	Davitt	Doderer	Fey
Fogarty	Gronstal	Groth	Halvorson, R. N.
Hammond	Haverland	Holveck	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Mr. Speaker (Arnould)		

Absent or not voting, 3:

Groninga	Harbor	Lonergan

Amendment H—3903 lost.

Menke of O'Brien offered the following amendment H—3951 filed by him and Corey of Louisa and moved its adoption:

H—3951

Amend House File 634 as follows:

1. By striking page 5, line 28 through page 6, line 14 and inserting in lieu thereof the following: "expenses are determined shall be transferred to the unemployment trust fund on a quarterly basis.

2. When the director of the Iowa department of job service certifies that a positive balance exists in the unemployment trust fund for the previous quarter, this Act is repealed and the assets of the lottery shall be transferred to the general fund. Upon repeal of this Act, existing sections of the Code amended by this Act shall revert to the form that they would have without the amendments made by this Act. The governor shall provide for the efficient dissolution of the lottery."

2. Amend the title, line 10, by inserting after the word "fund" the words "and providing for the repeal of the Act".

3. By renumbering subsections and correcting internal references as necessary.

Roll call was requested by Menke of O'Brien and Hughes of Union.

On the question "Shall amendment H—3951 be adopted?"

The ayes were, 46:

Anderson	Bennett	Branstad	Carl
Carpenter	Carter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Gruhn	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Mullins	O'Kane	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen		

The nays were, 52:

Avenson	Baxter	Black	Blanshan
Brammer	Buhr	Chapman	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Halvorson, R. N.	Haverland	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Miller
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Arnould)

Absent or not voting, 2:

Lonergan	Welden

Amendment H—3951 lost.

Van Gerpen of Black Hawk offered the following amendment H—3924 filed by Van Gerpen, et al., and moved its adoption:

H—3924

Amend House File 634 as follows:

1. Page 7, by inserting after line 13 the following:

"3. The Commissioner shall make a demographic study of lottery players. The domographic information shall include, but not be limited to, age, sex, education and household income. This information shall not be used in lottery advertising or promotions."

Amendment H—3924 was adopted.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H—3912 filed by him on April 28, 1983.

Rosenberg of Story offered the following amendment H—3933 filed by him and moved its adoption:

H—3933

Amend House File 634 as follows:
1. Page 8, by striking lines 7 through 25, and inserting in lieu thereof the following: "pertinent to the inquiry."

Amendment H—3933 was adopted.

The House resumed consideration of amendment H—3907D, found on page 1722 of the House Journal.

Hanson of Delaware asked and received unanimous consent to withdraw the further divisions and make lines 22 through 50 on page 1, and lines 1 through 11 on page 2 as amendment H—3907D.

Chiodo of Polk offered the following amendment H—3934, to amendment H—3907D, filed by him and moved its adoption:

H—3934

Amend amendment H—3907 to House File 634 as follows:
1. Page 1, line 49, by inserting after the word "prize" the words "of six hundred dollars or more".

Amendment H—3934 was adopted.

On motion by Hanson of Delaware, amendment H—3907D, as amended, was adopted.

Chiodo of Polk offered the following amendment H—3908 filed by him and moved its adoption:

H—3908

Amend House File 634 as follows:
1. Page 9, line 15, by inserting after the word

"rules" the words "graduated according to the volume of expected sales of lottery tickets by the licensee".

2. Page 9, by inserting after line 16 the following:

"3. a. A bond shall not be cancelled by a surety on less than thirty days notice in writing to the commissioner. If a bond is cancelled and the licensee fails to file a new bond with the commissioner in the required amount on or before the effective date of cancellation, the licensee's license to sell tickets shall be automatically suspended. A suspended license shall be revoked if the requirements of subsection 3 are not met within thirty days of the license suspension. The total and aggregate liability of the surety on the bond is limited to the amount specified in the bond."

3. By numbering and renumbering as necessary.

Amendment H—3908 was adopted.

Carl of Poweshiek asked and received unanimous consent to withdraw amendment H—3925 filed by her on April 28, 1983.

Rosenberg of Story offered the following amendment H—3918 filed by him:

H—3918

Amend House File 634 as follows:

1. Page 9, by inserting after line 21 the following:

"5. A license shall not be granted to an applicant if there is substantial evidence that the applicant for a license:

a. Has had a license to sell lottery tickets or shares suspended or revoked in another jurisdiction by the commission of that jurisdiction.

b. Has not demonstrated financial responsibility sufficient to adequately meet the requirements of the proposed enterprise.

c. Is not the true owner of the proposed enterprise.

d. Is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed.

e. Has knowingly made a false statement of material fact to the commissioner.

6. A license shall not be granted to a person if there is substantial evidence that the person is

not of good repute and moral character.
7. The commissioner shall revoke the license of a licensee who violates any condition listed in this section."

The following amendment H—3993, to amendment H—3918, filed by Rosenberg of Story from the floor was adopted by unanimous consent:

H—3993

Amend amendment H—3918 to House File 634 as follows:
1. Page 1, by striking lines 20 through 22.

On motion by Rosenberg of Story, amendment H—3918, as amended, was adopted.

Osterberg of Linn offered the following amendment H—3983 filed from the floor by him and Hughes of Union:

H—3983

Amend House File 634 as follows:
1. Page 12, by inserting after line 21 the following:
"Sec. . NEW SECTION. INCOME SURTAX.
1. There is imposed on the state individual income tax a surtax of one-half of one percent for the tax year beginning on or after January 1, 1983 and the tax year beginning on or after January 1, 1984. The director of revenue shall administer the income surtax imposed under this section and all the provisions of sections 422.20, 422.22 through 422.30, 422.68, and 422.72 through 422.74, shall apply in respect to the administration of the surtax.
2. The surtax shall be made a part of the Iowa individual income tax return subject to the conditions and restrictions set forth in 422.21.
3. The director of revenue shall deposit all moneys received from the surtax imposed by this section in the unemployment trust fund. The director shall make deposits to the unemployment trust fund at the times the director deems advisable, however the deposits shall be made at least once each year."
2. Title page, line 10, by inserting after the word "fund" the words "and establishing a state individual income tax surtax".
3. By numbering, renumbering, and correcting internal references as necessary.

Lageschulte of Bremer offered the following amendment H—3986, to amendment H—3983, filed by him from the floor and moved its adoption:

H—3986

Amend amendment H—3983 to House File 634 as follows:
1. Page 1, line 13, by inserting after the word "surtax." the following: "The surtax imposed by this section shall not be imposed on the state individual income tax of an individual who did not, at any time during the tax year in which the income was earned, earn wages from employers covered by chapter 96."

Amendment H—3986 lost.

Schnekloth of Scott rose on a point of order that amendment H—3983 was not germane.

The Speaker ruled the point well taken and amendment H—3983 not germane.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3882 and amendment H—3883 (to amendment H—3882), both filed by him on April 28, 1983.

Chiodo of Polk offered the following amendment H—3982 filed by him from the floor and moved its adoption:

H—3982

Amend House File 634 as follows:
1. Page 1, line 22, by inserting after the word "governor" the words "within thirty days after the effective date of this Act".
2. Page 2, line 29, by inserting after the word "time" the words ", but not later than one hundred twenty days from the effective date of this Act".
3. Page 13, by inserting after line 1 the following:
"Sec. . This Act, being deemed of immediate importance, takes effect from and after its publication in the Des Moines Daily Record, a newspaper published in Des Moines, Iowa, and in the Ankeny Press Citizen, a newspaper published in Ankeny, Iowa."
4. By numbering as necessary.

Amendment H—3982 was adopted.

Handorf of Marshall offered the following amendment H—3988 filed by him from the floor and moved its adoption:

H—3988

Amend House File 634 as follows:
1. Page 5, by inserting after line 15 the following:
"m. Requirements that the odds of winning each lottery game shall be prominently displayed in all advertising associated with each lottery game."
2. Renumber as necessary.

Amendment H—3988 was adopted.

Chiodo of Polk offered the following amendment H—3992 filed by him from the floor and moved its adoption:

H—3992

Amend House File 634 as follows:
1. Page 8, line 4, by inserting after the word "investigation." the words "An inquiry, investigation or hearing under this section is not a contested case under the Iowa administrative procedure Act."
2. Page 10, by inserting after line 9, the following:
"3. Section 17A.18 does not apply to a revocation or suspension under this section and a hearing held under this section is not a contested case under the Iowa administrative procedure Act."
3. By renumbering and correcting internal references as necessary.

Amendment H—3992 was adopted.

Jochum of Dubuque called up for consideration the motion to reconsider amendment H—3920 filed by him from the floor.

Hummel of Benton asked and received unanimous consent that the House stand at ease at 6:10 p.m., until the fall of the gavel.

The House resumed session and consideration of the motion to reconsider amendment H—3920 at 6:15 p.m., Speaker Avenson in the chair.

Jochum of Dubuque asked and received unanimous consent to withdraw his motion to reconsider amendment H—3920.

The House stood at ease at 6:33 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 634 at 7:09 p.m., Speaker Avenson in the chair.

Hughes of Union in the chair at 7:28 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the day, on request of Hoffmann-Bright of Muscatine.

Speaker Avenson in the chair at 7:43 p.m.

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. 634)

The ayes were, 54:

Arnould	Baxter	Blanshan	Brammer
Buhr	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Halvorson, R. N.
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	McIntee
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 43:

Anderson	Bennett	Black	Branstad
Carl	Carpenter	Carter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hummel
Lageschulte	Maulsby	McKean	Mullins
O'Kane	Paulin	Pellett	Renken

Rensink	Royer	Schnekloth	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

Absent or not voting, 3:

Lonergan	Menke	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

CONFERENCE COMMITTEE APPOINTED
(House File 343)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 343: Woods of Polk, Chair; Black of Jasper, Sullivan of Van Buren, Tofte of Winneshiek and Diemer of Black Hawk.

INTRODUCTION OF BILLS

House File 642, by Chapman and Clark, a bill for an act relating to parental rights.

Read first time and referred to committee on **human resources.**

House File 643, by committee on ways and means, a bill for an act relating to the payment of principal and interest on public bonds by providing for a mandatory levy of taxes and the determination of certain interest rates.

Read first time and referred to committee on **finance.**

IMMEDIATE MESSAGE
(House File 634)

Norland of Worth asked and received unanimous consent to immediately message House File 634 to the Senate.

SPONSOR WITHDRAWN
(Amendment H—3980 to Senate File 370)

Hughes of Union requested to be withdrawn as a sponsor of amendment H—3980 to Senate File 370.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 3, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 57, an act relating to the accident report filed by law enforcement officers with the department of transportation.

House File 119, an act to revise the duties of assessors relative to the registration and licensing of mobile homes.

House File 242, an act relating to the cancellation of outstanding warrants.

House File 247, an act requiring the department of social services to prepare and the council on social services to submit a biennial plan relating to the management of the community-based corrections programs and services.

House File 364, an act relating to ways condemned by landowners having no access to their property.

House File 500, an act relating to the number of instructors at a school of cosmetology.

House File 517, an act to limit the time for filing an action based upon a security interest in farm products to two years from the date of sale of the products.

House File 570, an act regarding the recording of financing statements under the uniform commercial code.

House File 606, an act permitting or requiring a corporation to indemnify a director, officer, employee, or agent of the corporation for judgments, penalties, fines, settlements, and reasonable expenses actually incurred as a defendant or respondent in an administrative or court proceeding.

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 3rd day of May, 1983: House Files 37, 135, 214, 279, 315, 317, 377, 448, 477, 494, 518, 528 and 592.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on May 3, 1983. Had I been present, I would have voted "aye" on House File 636.

ZIMMERMAN of Dallas

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fourteen eighth grade students from Dow City-Arion High School, Dow City, accompanied by John Anderson. By Muhlbauer of Crawford.

Sixty Senior students from Waukee High School, Waukee. By Zimmerman of Dallas.

Sixty students from Clemons Lutheran School, Clemons, accompanied by Sandy Giertz. By Handorf of Marshall.

Twenty-eight eighth grade students from St. Joseph's Grade School, New Hampton, accompanied by Father Irwin Matt. By Koenigs of Mitchell.

Fifty-four students from Washington Middle School, Clinton, accompanied by Mrs. Barbra Mask. By Ollie of Clinton.

Fifty fifth grade students from E. A. Kreft Elementary School, Council Bluffs, accompanied by Glen McBurney. By Gronstal, Pavich and Schroeder, all 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 531, 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3996** May 3, 1983.

Pursuant to House Rule 33, Senate File 531 was referred to the committee on Finance.

Committee Bill (Formerly House File 501), to appropriate the interest and earnings from the special fund for the Herrick bequest to certain projects.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 3, 1983.

COMMITTEE ON FINANCE

House File 69, a bill for an act relating to the refund of state sales, services, and use tax paid by contractors upon goods, wares, or merchandise or from services rendered, furnished, or performed to a contractor used in the performance of a contract for the state, a political subdivision, or an instrumentality of the state or a political subdivision, and making the bill retroactive.

Fiscal Note is required.

Recommended **Do Pass** May 2, 1983.

House File 625, a bill for an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

Fiscal Note is required.

Committee Action: **Failed to Pass** May 2, 1983. (Reconsidered by unanimous consent.)

Committee Action: Recommended **Do Pass** May 3, 1983.

House File 635, a bill for an act relating to the state inheritance tax by eliminating the preliminary inheritance tax return, specifying the value to use in computing the tax, providing for inheritance tax receipts and collection of the tax, including penalties and interest and making coordinating amendments.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1983.

House File 639, a bill for an act prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive.

Fiscal Note is required.

Recommended **Do Pass** May 2, 1983.

House File 640, a bill for an act providing for the filing of a claim for a property tax exemption by certain nonprofit organizations only once without refiling a claim in subsequent years so long as the ownership of the property or use of the property remains unchanged, subject to a penalty provided by law.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1983.

House File 641, a bill for an act relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Fiscal Note is not required.

Recommended **Do Pass** May 3, 1983.

Senate File 23, a bill for an act relating to the payment of property taxes by a taxpayer.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1983.

Senate File 530, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Fiscal Note is not required.

Recommended **Do Pass** May 3, 1983.

Senate File 531, 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.

Fiscal Note is not required.

Recommended **Do Pass** May 3, 1983.

AMENDMENTS FILED

H—3981 H.F. 633 Zimmerman of Dallas

H—3987 H.F. 625
Osterberg of Linn

H—3989 S.F. 531
Schnekloth of Scott
Jochum of Dubuque

H—3990 S.F. 532
Maulsby of Calhoun

H—3991 H.F. 625
Swartz of Marshall
Connolly of Dubuque
Cooper of Lucas
Koenigs of Mitchell
Carter of Henry
Hughes of Union
Anderson of Audubon
Schroeder of Pottawattamie
Fey of Scott
Pavich of Pottawattamie
Arnould of Scott
Chiodo of Polk
Sturgeon of Woodbury
Ollie of Clinton
Brammer of Linn
Poncy of Wapello
Baxter of Des Moines
Varn of Johnson
Hammond of Story
Holveck of Polk
Peick of Linn
Muhlbauer of Crawford
Woods of Polk
Lloyd-Jones of Johnson
Running of Linn
Sherzan of Polk
Halvorson of Webster
Gruhn of Dickinson
Black of Jasper
Fogarty of Palo Alto
Groth of Buena Vista
Copenhaver of Buchanan
Zimmerman of Dallas
Rensink of Sioux
Miller of Woodbury
Jay of Appanoose
Oxley of Linn
O'Kane of Woodbury
Sullivan of Van Buren
Parker of Jasper
Shoultz of Black Hawk
Renaud of Polk
Cochran of Webster
Stueland of Clinton
Hanson of Delaware
Swearingen of Keokuk
Van Maanen of Mahaska
Daggett of Taylor
De Groot of Lyon
Maulsby of Calhoun
Clark of Cerro Gordo
Royer of Page
Van Gerpen of Black Hawk
Gronstal of Pottawattamie
Spear of Lee
Chapman of Linn
Van Camp of Scott
Tofte of Winneshiek
Torrence of Muscatine
Krewson of Polk
Osterberg of Linn
Lageschulte of Bremer
Handorf of Marshall
Mullins of Kossuth
Knapp of Dubuque
Grandia of Marion
Hoffmann-Bright of Muscatine
Welden of Hardin
Menke of O'Brien
Pellett of Cass
McKean of Jones
Hermann of Scott
Diemer of Black Hawk
Blanshan of Greene
Renken of Grundy
Corey of Louisa
Harbor of Mills
Halvorson of Clayton
Paulin of Plymouth

H—3994 S.F. 532
Sherzan of Polk

H—3995	S.F.	531	Welden of Hardin Jochum of Dubuque
H—3996	S.F.	531	Committee on Appropriations

On motion by Norland of Worth, the House adjourned at 8:08 p.m., until 9:00 a.m., Wednesday, May 4, 1983.

JOURNAL OF THE HOUSE

One Hundred Fifteenth Calendar Day—Seventy-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 4, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Canon Robert Holzhammer, pastor of the Trinity Episcopal Church, Iowa City.

The Journal of Tuesday, May 3, 1983 was approved.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Buhr of Polk, from fifty-five citizens of Iowa.

By Halvorson of Clayton, from six hundred fifty-five constituents of the 32nd District.

By Hanson of Delaware, from fifty-five constituents of the 48th District.

By McKean of Jones, from five hundred sixty-four constituents.

By Renaud of Polk, from fifty-five constituents.

INTRODUCTION OF BILL

House File 644, by committee on appropriations, a bill for an act to appropriate the principal, interest and earnings from the special fund for the Herrick bequest to certain projects.

Read first time and referred to committee on **finance.**

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, 1983, 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 42, a bill for an act relating to the residence qualification for election to the office of drainage district trustee.

Also: That the Senate has on May 2, 1983, 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 176, a bill for an act providing that a political party or candidate committee or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with another qualified organization to conduct the games of skill, games of chance, or raffles.

Also: That the Senate has on May 2, 1983, receded from its amendment, and passed the following bill:

House File 581, a bill for an act relating to the penalties for the crime of theft.

Also: That the Senate has on May 2, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 190, a bill for an act relating to leaves of absence for persons who are elected to municipal, county, state, or federal offices and providing penalties.

Also: That the Senate has on May 2, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 538, a bill for an act prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive.

K. MARIE THAYER, Secretary

ADOPTION OF SENATE CONCURRENT RESOLUTION 11

Connors of Polk called up for consideration Senate Concurrent Resolution 11, approving and confirming William P. Angrick II as citizens' aide, received from the Senate on February 16, 1983 and found on page 430 of the House Journal and moved its adoption.

Inasmuch as the resolution required a constitutional majority, a non-record roll call was requested.

The ayes were 90, nays none.

The motion prevailed and the resolution was adopted.

HOUSE REFUSES TO CONCUR

Jochum of Dubuque called up for consideration **Senate File 495**, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—3953 to the House amendment:

H—3953

Amend the House amendment, S—3658, to Senate File 495 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 10 through 16.

2. Page 1, by striking lines 17 through 36.

3. Page 1, by striking lines 37 through 39.

4. Page 2, by striking lines 16 through 18 and inserting in lieu thereof the following:

" . Page 12, line 5, by inserting before the word "for" the words "and a pay plan"."

5. Page 2, by striking lines 25 through 37, and inserting in lieu thereof the following:

" . Page 12, line 18, by striking the words "supreme court" and inserting in lieu thereof the words "state court administrator".

. Page 12, by inserting after line 20 the following:

"For purposes of chapter 20, certifications of employee organizations, which on July 1, 1983 represent employees who become court employees as a result of this Act, shall remain in effect when the employees become court employees and thereafter, unless a public employee files a petition under section 20.14, subsection 3, and the employee organization is decertified in an election held under section 20.15. However, collective bargaining negotiations shall be conducted on a statewide basis and the certified employee organizations which engage in bargaining shall negotiate on a coalition basis. The public employment relations board shall adopt rules pursuant to chapter 17A to implement this subsection." "

6. Page 2, by striking lines 41 and 42.

7. Page 3, by inserting after line 4 the following:

" . Page 14, lines 16 and 17, by striking the words "each of the first and second deputies" and inserting in lieu thereof the words "a deputy"."

8. Page 3, by striking lines 22 through 25.

9. Page 3, by striking lines 28 through 46.
10. Page 4, by striking lines 13 through 15 and inserting in lieu thereof the following: "the maximum amount established by the supreme court pursuant to section 602.1509."
11. Page 4, by striking lines 33 through 35 and inserting in lieu thereof the following: "established by the supreme court pursuant to section 602.1509."
12. Page 5, by striking lines 5 through 8.
13. Page 5, by inserting after line 8 the following:
" . Page 94, by striking line 27 and inserting in lieu thereof the following:

Page 2

"bb. For issuing a marriage license, fifteen dollars. The clerk of the district court shall remit to the treasurer of state five dollars for each marriage license issued. The treasurer of state shall deposit the funds received in the general fund of the state. For"."
14. Page 5, line 17, by inserting after the figure "1" the words "on a semiannual basis".
15. Page 5, by striking line 32.
16. Striking page 9, line 47 through page 13, line 2.
17. Striking page 13, line 40 through page 14, line 3.
18. Striking page 16, line 20 through page 19, line 19.
19. Page 20, by inserting after line 17 the following:
" . Page 138, by striking lines 2 and 3 and inserting in lieu thereof the following:
"2. The Code editor shall recodify chapters 605A and 610 as new and separate articles at the end of new chapter 602." "
20. Page 20, by striking lines 22 and 23.
21. Page 20, line 37, by inserting after the word "reduced" the words ", for the first two fiscal years after the county employee becomes a state employee,".
22. Striking page 21, line 40 through page 22, line 6.

The motion lost and the House refused to concur.

IMMEDIATE MESSAGE
(Senate File 495)

Norland of Worth asked and received unanimous consent to immediately message Senate File 495 to the Senate.

HOUSE RESOLUTION 10
By Copenhaver, Holveck, Royer, Hermann and Rosenberg

Whereas, the ethics committee of the house of representatives has the responsibility of preparing rules relating to lobbyists and lobbying activities in the house of representatives and has had the responsibility of preparing gift reporting procedures; and

Whereas, the committee deems it necessary to conduct a review of the reporting of gifts and lobbying activities; and

Whereas, section 2.14, subsection 4, limits a standing committee to one interim meeting day without the approval of the legislative council, *Now Therefore*,

Be It Resolved by the House of Representatives, That the legislative council is requested to authorize the house committee on ethics to hold two meeting days during the 1983 legislative interim.

Laid over under Rule 25.

HOUSE RESOLUTION 11
By Fogarty

Whereas, migratory waterfowl are encouraged by the state conservation commission to stop in Iowa lakes and marshes; such as the Lost Island Lake and Iowa Great Lakes areas, and

Whereas, in the areas where the migratory waterfowl congregate, the waterfowl, especially geese, inflict significant crop damage upon the nearby farms; and

Whereas, this causes those farmers to bear an unfair burden; *Now Therefore*,

Be It Resolved by the House of Representatives, That the legislative council is requested to authorize a study during the 1983 legislative interim of the problem of crop damage caused by congregating migratory waterfowl and possible solutions by means of control or discouragement of the waterfowl or compensation to the farmers.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 9:18 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Connors of Polk in the chair.

PRESENTATION OF PELLA TULIP QUEEN AND HER ATTENDANTS

Grandia of Marion presented to the House Brenda Boomsma, from Pella, Queen of the 1983 Pella Tulip Festival to be held in Pella May 12, 13 and 14.

Queen Brenda was escorted to the Speaker's station and presented Speaker pro-tempore Connors with the traditional kiss and invited everyone to attend the festival next weekend. She introduced her attendants Lucia VandeKamp, Christi Koopman, Lisa Van Rheenen and Amber Terpstra. They entertained the House by singing a "Dutch" song.

Those present from Pella were dressed in native Dutch costume and distributed the famous Pella Dutch cookies.

The House rose and expressed it welcome and appreciation.

SENATE MESSAGES CONSIDERED

Senate File 190, by Slater, Carr and Bruner, a bill for an act relating to leaves of absence for persons who are elected to municipal, county, state, or federal offices and providing penalties.

Read first time and referred to committee on **state government.**

Senate File 538, by committee on ways and means, a bill for an act prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive.

Read first time and **passed on file.**

SENATE AMENDMENT CONSIDERED

Rosenberg of Story called up for consideration **Senate File 302,** a bill for an act relating to the reduction of sentences of inmates

committed to the custody of the director of the division of adult corrections of the department of social services, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—3879 to the House amendment:

H—3879

Amend the House amendment, S—3657, to Senate File 302 as passed by the Senate as follows:

1. Page 1, by striking lines 3 through 14.

2. Page 1, by inserting after line 16, the following:

" . Page 5, by inserting after line 8, the following:

"Sec. 12. Section 906.5, unnumbered paragraph 2, Code 1983, is amended to read as follows:

If the person who is under consideration for parole is serving a sentence for conviction of a felony and has a criminal record of one or more prior convictions for a forcible felony or a crime of a similar gravity in this or any other state, parole shall be denied unless the defendant has served at least one-half of the maximum term of ~~his or her~~ the defendant's sentence. However, the mandatory sentence provided for by this section shall not apply if the sentence being served is for a felony other than a forcible felony and the sentences for the prior forcible felonies expired at least five years before the date of conviction for the present felony."

. Page 5, line 9, by striking the number "12" and inserting in lieu thereof the number "13".

. Page 5, by striking line 13 and inserting in lieu thereof the following:

"Sec. 14. Sections 2 through 6 and sections 8, 9, 10, 11, and 13".

. Page 5, line 15, by inserting after the number "1983." the following: "Section 12 of this Act takes effect July 1, 1983 but also applies retroactively to inmates who are serving or will serve mandatory sentences pursuant to section 906.5 before July 1, 1983." "

3. Renumbering to conform to this amendment.

The motion prevailed and the House concurred in the Senate amendment H—3879 to the House amendment.

Rosenberg of Story 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. 302)

The ayes were, 96:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Cooper	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 3:

Halvorson, R. A.	McIntee	Tabor

Absent or not voting, 1:

Copenhaver

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 624, a bill for an act relating to a user fee for certain

state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty, was taken up for consideration.

Torrence of Muscatine asked and received unanimous consent to defer action on amendment H—3846.

Varn of Johnson offered amendment H—3847 filed by him. Division was requested as follows:

H—3847

Amend House File 624 as follows:

H—3847A

1. Page 1, by inserting after line 29 the following: "A person who has more than one motor vehicle registered in that person's name may purchase calendar year permits for the second and subsequent motor vehicles for a fee of five dollars each by producing to the county recorder the registration cards of the first and subsequent motor vehicles and proof of purchase of a calendar year permit for the first motor vehicle."

H—3847B

2. Page 2, line 5, by inserting after the word "rule." the words "The permit shall contain a space upon which the registration plate numbers and letters shall be entered."

Speaker Avenson in the chair at 2:12 p.m.

Varn of Johnson moved the adoption of amendment H—3847A.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 50, nays 46.

Amendment H—3847A was adopted.

Black of Jasper offered the following amendment H—3997 filed by him from the floor and moved its adoption:

H—3997

Amend House File 624 as follows:

1. Page 1, by striking lines 32 through 35 and inserting in lieu thereof the following: "recorders or the director under section 110.11. County recorders and depositaries may charge the same writing fee authorized for licenses under section 110.11 and 110.12 for issuing the user permit. Duplicate user permits shall not be issued except".

2. Page 3, by striking lines 19 through page 4, line 3.

3. By renumbering the sections to conform with this amendment.

Amendment H—3997 was adopted.

Osterberg of Linn asked and received unanimous consent to defer action on amendment H—3850.

The House resumed consideration of amendment H—3847B.

On motion by Varn of Johnson, amendment H—3847B was adopted.

Torrence of Muscatine asked and received unanimous consent to withdraw amendment H—3846 filed by her on April 25, 1983.

Torrence of Muscatine offered the following amendment H—4000 filed from the floor by her and Zimmerman of Dallas and moved its adoption:

H—4000

Amend House File 624 as follows:

1. Page 1, by inserting after line 29 the following:

"Any person sixty-five years of age or older, upon proof of age, may purchase a lifetime permit for a ten dollar fee."

Roll call was requested by Krewson of Polk and McKean of Jones.

On the question "Shall amendment H—4000 be adopted?"

The ayes were, 42:

Anderson	Bennett	Blanshan	Branstad
Carpenter	Carter	Chapman	Clark
Cochran	Daggett	Davitt	De Groot
Grandia	Hammond	Hoffmann-Bright	Holveck
Hughes	Krewson	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Ollie	Oxley	Paulin	Pellett
Renken	Rensink	Rosenberg	Running
Schnekloth	Schroeder	Stromer	Stueland
Sturgeon	Swearingen	Torrence	Van Camp
Van Maanen	Zimmerman		

The nays were, 57:

Arnould	Baxter	Black	Brammer
Buhr	Carl	Chiodo	Connolly
Connors	Cooper	Copenhaver	Corey
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Haverland	Hummel	Jay
Jochum	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	Mullins	Norland
O'Kane	Osterberg	Parker	Pavich
Peick	Poncy	Renaud	Royer
Sherzan	Shoultz	Skow	Spear
Sullivan	Swartz	Tabor	Tofte
Van Gerpen	Varn	Welden	Woods
Mr. Speaker			

Absent or not voting, 1:

Hermann

Amendment H—4000 lost.

Osterberg of Linn offered the following amendment H—3850 (previously deferred) filed by Osterberg, et al., and moved its adoption:

H—3850

Amend House File 624 as follows:

1. Page 2, by inserting after line 3, the following new subsection:

" . User permits shall be issued without the permit fee by the county recorder to individuals who present a current medical assistance or food stamp identification card provided by the department of social services."

2. By renumbering as necessary.

Amendment H—3850 was adopted.

Stueland of Clinton asked and received unanimous consent to defer action on amendment H—3776.

Doderer of Johnson offered the following amendment H—3854 filed by her and Halvorson of Clayton and moved its adoption:

H—3854

Amend House File 624 as follows:
1. Page 3, line 18, by inserting after the word "employment." the words "Persons employed with money from the trust fund shall be temporary employees."

Amendment H—3854 was adopted.

Stueland of Clinton offered the following amendment H—3776 (previously deferred) filed by him:

H—3776

Amend House File 624 as follows:
1. Page 3, line 10, by striking the word "The" and inserting in lieu thereof the words and figure "Except as provided in subsection 9, the".
2. Page 3, by inserting after line 18 the following:
"9. Fifteen percent of the money in the fund is appropriated to the department of soil conservation for financial incentives not exceeding seventy-five percent of the approved cost of permanent soil conservation practices under chapter 467A on watersheds above publicly-owned lakes in accordance with a priority list established by the conservation commission and based on soil loss."

Harbor of Mills offered the following amendment H—3859, to amendment H—3776, filed by him and Stueland of Clinton and moved its adoption:

H—3859

Amend amendment H—3776 to House File 624 as follows:
1. Page 1, line 12, by striking the word "above" and inserting in lieu thereof the words "draining into".

Amendment H—3859 was adopted.

Renken of Grundy in the chair at 3:07 p.m.

Stueland of Clinton moved the adoption of amendment H—3776, as amended.

A non-record roll call was requested.

The ayes were 42, nays 49.

Amendment H—3776 lost.

Halvorson of Clayton offered the following amendment H—3857 filed by Halvorson, et al. :

H—3857

Amend House File 624 as follows:
1. Page 3, by inserting after line 18 the following:
"The commission may employ inmates under section 246.18 with the money from the trust fund."

Sherzan of Polk offered the following amendment H—3999, to amendment H—3857, filed from the floor by him and Running of Linn and moved its adoption:

H—3999

Amend amendment H—3857 to House File 624 as follows:
1. Page 1, by inserting after line 5, the following:
"However, an inmate shall not be employed in a public service project if the employment of that inmate would replace a person employed by the state agency or political subdivision which employee is performing the work of the public service project at the time the inmate is being considered for employment in the project."

A non-record roll call was requested.

The ayes were 54, nays 33.

Amendment H—3999 was adopted.

Halvorson of Clayton moved the adoption of amendment H—3857, as amended.

A non-record roll call was requested.

The ayes were 82, nays none.

Amendment H—3857, as amended, was adopted.

Doderer of Johnson offered the following amendment H—3858 filed by Doderer, et al., and moved its adoption:

H—3858

Amend House File 624 as follows:
1. Page 3, by inserting after line 18 the following:
"The commission shall adopt affirmative action measures and develop affirmative action plans for the employment of persons with the money from the trust fund based on uniform affirmative action planning standards adopted by the Iowa civil rights commission."

Amendment H—3858 was adopted.

Speaker Avenson in the chair at 3:29 p.m.

Chiodo of Polk in the chair at 4:05 p.m.

Speaker Avenson in the chair at 4:10 p.m.

Tabor of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 624)

The ayes were, 62:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Chiodo	Clark	Connolly
Copenhaver	Corey	Diemer	Doderer
Fey	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Holveck	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Menke	Miller	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Rensink

Rosenberg	Royer	Schnekloth	Schroeder
Sherzan	Shoultz	Sullivan	Swartz
Tabor	Tofte	Van Gerpen	Varn
Welden	Mr. Speaker		

The nays were, 37:

Anderson	Bennett	Branstad	Carter
Cochran	Cooper	Daggett	Davitt
De Groot	Fogarty	Grandia	Halvorson, R. N.
Hoffmann-Bright	Hughes	Hummel	Krewson
Maulsby	McKean	Muhlbauer	Oxley
Peick	Pellett	Poncy	Renaud
Renken	Running	Skow	Spear
Stromer	Stueland	Sturgeon	Swearingen
Torrence	Van Camp	Van Maanen	Woods
Zimmerman			

Absent or not voting, 1:

Connors

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

REQUEST FOR IMMEDIATE MESSAGE WITHDRAWN

Norland of Worth asked and received unanimous consent to withdraw his request for an immediate message of House File 634 on May 3, 1983.

MOTION TO RECONSIDER PREVAILED
(House File 634)

Chiodo of Polk moved to reconsider the vote by which House File 634, a bill for an act relating to lotteries by providing for a state lottery, an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty for their commission, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund, passed the House and was placed on its last reading on May 3, 1983.

A non-record roll call was requested.

The ayes were 55, nays 39.

The motion prevailed and the House reconsidered House File 634.

Chiodo of Polk asked and received unanimous consent to reconsider the vote by which amendment H—3982 was adopted by the House on May 3, 1983.

The House resumed consideration of amendment H—3982. Division of the amendment was requested as follows:

H—3982

Amend House File 634 as follows:

H—3982A

1. Page 1, line 22, by inserting after the word "governor" the words "within thirty days after the effective date of this Act".

H—3982B

2. Page 2, line 29, by inserting after the word "time" the words ", but not later than one hundred twenty days from the effective date of this Act".

H—3982A

3. Page 13, by inserting after line 1 the following:

"Sec. . This Act, being deemed of immediate importance, takes effect from and after its publication in the Des Moines Daily Record, a newspaper published in Des Moines, Iowa, and in the Ankeny Press Citizen, a newspaper published in Ankeny, Iowa."

4. By numbering as necessary.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H—3982B.

On motion by Chiodo of Polk, amendment H—3982A 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. 634)

The ayes were, 54:

Arnould	Baxter	Blanshan	Brammer
Buhr	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Halvorson, R. N.
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	McIntee
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 46:

Anderson	Bennett	Black	Branstad
Carl	Carpenter	Carter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hummel
Lageschulte	Lonergan	Maulsby	McKean
Menke	Mullins	O'Kane	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

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
(House File 634)

Norland of Worth asked and received unanimous consent to immediately message House File 634 to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 380**, a bill for an act relating to projects for which industrial revenue bonds may be issued by a city or county, deferred and retained on the unfinished business calendar on May 2, 1983, and amendment H–3573, found on page 1700 of the House Journal.

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—3573.

Osterberg 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. 380)

The ayes were, 79:

Arnould	Black	Blanshan	Brammer
Branstad	Buhr	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Poncy	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Varn	Zimmerman	Mr. Speaker	

The nays were, 18:

Anderson	Bennett	Corey	Grandia
Handorf	Maulsby	Pellett	Renaud
Renken	Rensink	Schroeder	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden	Woods		

Absent or not voting, 3:

Baxter	Carl	Carpenter

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES
(House File 624 and Senate File 380)

Norland of Worth asked and received unanimous consent to immediately message House File 624 and Senate File 380 to the Senate.

UNANIMOUS CONSENT TO VOTE
(House File 634)

Carpenter of Polk asked and received unanimous consent to change her vote from "aye" to "nay" on House File 634 and the vote was so recorded.

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 4, 1983, insisted on its amendment to the House amendment to Senate File 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, and the members of the conference committee on the part of the Senate are: The Senator from Polk, Senator Mann, Chair; the Senator from Woodbury, Senator Doyle; the Senator from Muscatine, Senator Drake; the Senator from Linn, Senator Horn; and the Senator from Sioux, Senator Ritsema.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 645, by committee on appropriations, a bill for an act making an appropriation to the Iowa merit employment department to conduct a study of merit compensation rates based on comparable worth.

Read first time and referred to committee on **finance.**

House File 646, by committee on appropriations, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Read first time and referred to committee on **finance.**

CONFERENCE COMMITTEE APPOINTED
(Senate File 495)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 495: Jay of Appanoose, Chair; Swartz of Marshall, Parker of Jasper, McKean of Jones and Maulsby of Calhoun.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 241, a bill for an act relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive.

Also: That the Senate has on May 2, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 532, a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation.

Also: That the Senate has on May 4, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 562, a bill for an act relating to funds available to school districts.

K. MARIE THAYER, Secretary

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on May 3, 1983. Had I been present, I would have voted "nay" on House File 634.

TOFTE of Winneshiek

PRESENTATION OF VISITORS

Pellett of Cass presented to the House the Honorable Lester Kluever, former member of the House representing Cass County.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-two sixth grade students from All Saints School, Des Moines, accompanied by Mrs. Tracy. By Sherzan of Polk.

Forty Senior students from Waterloo Central High School, Waterloo, accompanied by Larry Hamilton. By Diemer, McIntee, Shoultz and Van Gerpen of Black Hawk.

Twenty-five fourth grade students from Stanton Community School, Stanton, accompanied by Mrs. Allen and Mrs. Mead. By Harbor of Mills.

Sixty eighth grade students from Immaculate Conception School, Gilbertville, accompanied by Nancy Picerno, Mrs. Peterson and Mrs. Kennedy. By Copenhaver of Buchanan.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 343 Ways and Means

Providing for the payments in each fiscal year of homestead tax credits, extraordinary tax credits, mobile home tax credits, agricultural land tax credits, livestock tax credits, military tax credits, and personal property tax credits to the respective county treasurers by the state comptroller.

S.B. 344 Finance

To authorize the job service appeal board to employ an administrative officer.

S.B. 345 Finance

To provide for the transfer of funds received from the use tax on motor vehicles and trailers to the special railroad facility fund.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 461, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

Pursuant to House Rule 33, Senate File 461 was referred to the committee on Finance.

Senate File 532, a bill for an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H–4003** May 4, 1983.

Pursuant to House Rule 33, Senate File 532 was referred to the committee on Finance.

Committee Bill, making an appropriation to the Iowa merit employment department to conduct a study of merit compensation rates based on comparable worth.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 4, 1983.

Committee Bill, relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 4, 1983.

COMMITTEE ON FINANCE

House File 644, a bill for an act to appropriate the principal, interest and earnings from the special fund for the Herrick bequest to certain projects.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

House File 645, a bill for an act making an appropriation to the Iowa merit employment department to conduct a study of merit compensation rates based on comparable worth.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

House File 646, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

Senate File 314, a bill for an act relating to an exemption from the state sales, service, and use taxes for sales by trade shops to printers of lithographic-offset plates, photoengraved plates, engravings, negatives, color separations, typesetting, the end products of image modulation or any base materials used as carriers for light-sensitive emulsions, limiting the amount of refunds allowable under this act, and making it retroactive.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

Senate File 354, a bill for an act to eliminate the use of documentary stamps as evidence that the real estate transfer tax has been paid.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

Senate File 461, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

Senate File 532, a bill for an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

COMMITTEE ON WAYS AND MEANS

Senate File 314, a bill for an act relating to an exemption from the state sales, service, and use taxes for sales by trade shops to printers of lithographic-offset plates, photoengraved plates, engravings, negatives, color separations, typesetting, the end products of image modulation or any base materials used as carriers for light-sensitive emulsions, limiting the amount of refunds allowable under this act, and making it retroactive.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

Pursuant to House Rule 33, Senate File 314 was referred to the committee on Finance.

Senate File 354, a bill for an act to eliminate the use of documentary stamps as evidence that the real estate transfer tax has been paid.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

Pursuant to House Rule 33, Senate File 354 was referred to the committee on Finance.

Committee Bill (Formerly Study Bill 331), providing an annual inspection fee for mobile home parks.

Fiscal Note is required.

Recommended **Amend and Do Pass** May 4, 1983.

Committee Bill (Formerly Study Bill 342), to impose the sales and use tax on the retail sale of newspapers, repealing the sales and use tax on the newsprint and ink, and repealing the provisions which provide that the distribution of free newspapers and shoppers guides is a retail sale.

Fiscal Note is not required.

Recommended **Do Pass** May 4, 1983.

AMENDMENTS FILED

H–3998	S.F.	531	Woods of Polk
H–4001	H.F.	241	Senate Amendment
H–4002	H.F.	532	Senate Amendment
H–4003	S.F.	532	Committee on Appropriations

H–4004	S.F.	531	Maulsby of Calhoun Mullins of Kossuth
H–4005	H.F.	641	Van Maanen of Mahaska
H–4006	H.F.	641	Van Maanen of Mahaska
H–4007	H.F.	625	Swartz of Marshall Welden of Hardin
H–4008	H.F.	639	Hermann of Scott
H–4009	H.F.	641	Clark of Cerro Gordo Hoffmann-Bright of Muscatine
H–4010	S.F.	530	Jochum of Dubuque
H–4011	S.F.	531	Copenhaver of Buchanan
H–4012	S.F.	531	Welden of Hardin
H–4013	S.F.	531	Jochum of Dubuque
H–4014	H.F.	562	Senate Amendment
H–4015	S.F.	530	Jochum of Dubuque
H–4016	S.F.	530	Jochum of Dubuque
H–4017	H.F.	641	Carl of Poweshiek Van Maanen of Mahaska Clark of Cerro Gordo Fey of Scott Davitt of Warren Grandia of Marion Parker of Jasper Chapman of Linn Torrence of Muscatine Hoffmann-Bright of Muscatine Arnould of Scott Haverland of Polk
H–4018	H.F.	641	Skow of Guthrie Menke of O'Brien Fogarty of Palo Alto Branstad of Winnebago Muhlbauer of Crawford Maulsby of Calhoun Hughes of Union

On motion by Norland of Worth, the House adjourned at 4:35 p.m., until 9:00 a.m., Thursday, May 5, 1983.

JOURNAL OF THE HOUSE

One Hundred Sixteenth Calendar Day — Seventy-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, May 5, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable Mark Haverland, State Representative from Polk County.

The Journal of Wednesday, May 4, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sullivan of Van Buren on request of O'Kane of Woodbury; Pavich of Pottawattamie on request of Avenson of Fayette.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Bennett of Ida, from one hundred five constituents of Pierson and Correctionville, Iowa.

By Buhr of Polk, from fifty-five citizens of Iowa.

By Connors of Polk, from twenty-six constituents.

By Halvorson of Clayton, from forty-four constituents of the 32nd District.

By Norland of Worth, from thirty-two constituents of the 19th District.

By Renaud of Polk, from fifty-five constituents of the 78th District.

INTRODUCTION OF BILLS

House File 647, by committee on ways and means, a bill for an act providing an annual inspection fee for mobile home parks, a triennial inspection requirement, a schedule of violations, and providing a penalty.

Read first time and referred to committee on **finance.**

House File 648, by committee on ways and means, a bill for an act to impose the sales and use tax on the retail sale of newspapers, repealing the sales and use tax on the newsprint and ink, and repealing the provisions which provide that the distribution of free newspapers and shoppers guides is a retail sale.

Read first time and referred to committee on **finance.**

SPONSOR WITHDRAWN
(Amendment H—4004 to Senate File 531)

Mullins of Kossuth requested to be withdrawn as a sponsor of amendment H—4004 to Senate File 531.

HOUSE FILE 641 DEFERRED

Norland of Worth asked and received unanimous consent that House File 641 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 635, a bill for an act relating to the state inheritance tax by eliminating the preliminary inheritance tax return, specifying the value to use in computing the tax, providing for inheritance tax receipts and collection of the tax, including penalties and interest and making coordinating amendments, was taken up for consideration.

Groninga of Cerro Gordo offered the following amendment H—3976 filed by him and moved its adoption:

H—3976

1 Amend House File 635 as follows:
2 1. Page 4, line 5, by inserting after the word

"inventories" the words and figure "required by section 633.361".

2. Page 9, line 31, by striking the word "FIDUCIARIES" and inserting in lieu thereof the words "~~FIDUCIARIES~~ PERSONAL REPRESENTATIVES".

3. Page 9, line 32, by striking the words "All fiduciaries" and inserting in lieu thereof the words "~~fiduciaries~~ All personal representatives".

Amendment H—3976 was adopted.

Groninga 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. 635)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Pavich	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 640, a bill for an act providing for the filing of a claim for a property tax exemption by certain nonprofit organizations only once without refiling a claim in subsequent years so long as the ownership of the property or use of the property remains unchanged, subject to a penalty provided by law, was taken up for consideration.

O'Kane 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. 640)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Pavich	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 23, a bill for an act relating to the payment of property taxes by a taxpayer, with report of committee recommending passage was taken up for consideration.

Van Camp of Scott offered the following amendment H—4021 filed by him from the floor and moved its adoption:

H—4021

Amend Senate File 23 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, line 3, by inserting after the word "~~eases~~" the words "upon request,".

Amendment H—4021 was adopted.

Spear of Lee offered the following amendment H—3954 filed by him and moved its adoption:

H—3954

Amend Senate File 23 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 15 the following: "Persons whose real property taxes are delinquent may pay to the county treasurer part of the delinquent real property taxes and the county treasurer shall accept payment of part of these delinquent taxes provided that the amount of the payment is equal to the amount of the installment that has been delinquent the longest plus penalties and interest assessed on that delinquent installment."

Amendment H—3954 was adopted.

Davitt 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?" (S.F. 23)

The ayes were, 98:

Anderson Arnould Baxter Bennett

Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Pavich	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 69, a bill for an act relating to the refund of state sales, services, and use tax paid by contractors upon goods, wares, or merchandise or from services rendered, furnished, or performed to a contractor used in the performance of a contract for the state, a political subdivision, or an instrumentality of the state or a political subdivision, and making the bill retroactive, with report of committee recommending amendment and passage was taken up for consideration.

Brammer of Linn offered the following amendment H–3919 filed by the committee on ways and means and moved its adoption:

H—3919

Amend House File 69 as follows:

1. Page 2, line 6, by striking the word and figures "January 1, 1983" and inserting in lieu thereof the words and figures "November 1, 1982 for the sales, services, or use tax paid upon the gross receipts of the sales of goods, wares, or merchandise, occurring on or after November 1, 1982".

Amendment H—3919 was adopted.

Brammer 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. 69)

The ayes were, 95:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Harbor	Pavich	Stromer	Sullivan
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 69, 635 and 640 and Senate File 23.

O'Kane of Woodbury in the chair at 10:03 a.m.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of the following bills: Senate Files 530 and 531 and House File 641.

Appropriations Calendar

Senate File 530, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions, with report of committee recommending passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H–4010 filed by him and moved its adoption:

H–4010

Amend Senate File 530 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by striking lines 15 through 17.

2. Page 7, by inserting after line 16 the following:

"Sec. . Chapter 120, Code 1983, is repealed."

3. By numbering and renumbering as necessary.

Amendment H–4010 was adopted.

Jochum of Dubuque offered the following amendment H–4015 filed by him:

H—4015

Amend Senate File 530 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 34 and 35, and inserting in lieu thereof the words "and miscellaneous purposes .....$1,533,301".

2. Page 2, by striking lines 1 through 6 and inserting in lieu thereof the following:

"In addition to the funds appropriated in this subsection, there is appropriated for the fiscal year beginning July 1, 1983 to the office of the auditor of state for the purpose of enhancing the internal and management functions of that office, coordinating auditing staff functions, centralizing staff, providing moving expenses and additional funds for salaries, support, maintenance, and miscellaneous purposes, and subject to the condition that the auditor of state's operational staff, equipment, and furnishings be moved from the state capitol building to an appropriate building located within the state capitol complex, and the use of the space vacated in the state capitol building be dedicated to the legislative branch of government, the sum of three hundred seventeen thousand six hundred sixty-three (317,663) dollars, or so much thereof as may be necessary. A ceremonial office for the auditor of state and not more than two staff members shall be established in the state capitol building."

3. Page 5, by striking lines 4 through 11 and inserting in lieu thereof the following:

"and miscellaneous purposes .....$ 397,718

In addition to the funds appropriated in this subsection, there is appropriated for the fiscal year beginning July 1, 1983 to the office of treasurer of state for the purpose of enhancing the internal and management functions of that office, providing adequate work space, providing moving expenses, and additional funds for salaries, support, and miscellaneous purposes, and subject to the condition that the treasurer of state's operational staff, equipment, and furnishings be moved from the state capitol building to an appropriate building located within the state capitol complex, and the use of the space vacated in the state capitol building be dedicated to the legislative branch of government, the sum of ninety-nine thousand eight hundred seventy (99,870) dollars, or so much as may be necessary. A ceremonial office for the treasurer of state and not more than two staff members shall be established in the state capitol building."

Jochum of Dubuque offered the following amendment H—4016, to amendment H—4015, filed by him:

H—4016

Amend amendment H—4015 to Senate File 530 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 28, by striking the figure "397,718" and inserting in lieu thereof the figure "380,718".

The following amendment H—4025, to amendment H—4016 (to amendment H—4015), filed by Jochum of Dubuque from the floor, was adopted by unanimous consent:

H—4025

Amend amendment H—4016 to amendment H—4015 to Senate File 530 as follows:

1. Page 1, line 4, by striking the figure "28" and inserting in lieu thereof the figure "30".

On motion by Jochum of Dubuque amendment H—4016, (to amendment H—4015) as amended, was adopted.

On motion by Jochum of Dubuque amendment H—4015, as amended, was adopted.

The House stood at ease at 10:13 a.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 530 at 11:39 a.m., Speaker Avenson in the chair.

Anderson of Audubon offered the following amendment H—4030 filed from the floor by Anderson, Van Camp, Renken and Corey and moved its adoption:

H—4030

Amend Senate File 530 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 9, by striking the figure "3,190,430" and inserting in lieu thereof the figure "3,255,541".

2. Page 3, line 13, by striking the figure

"544,938" and inserting in lieu thereof the figure "556,060".

3. Page 3, line 19, by striking the figure "2,728,767" and inserting in lieu thereof the figure "2,784,457".

Roll call was requested by Chiodo of Polk and Jochum of Dubuque.

On the question "Shall amendment H—4030 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Mullins
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 56:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 5:

Connors	Groninga	Pavich	Shoultz
Sullivan			

Amendment H—4030 lost.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—4026 filed by him from the floor.

Anderson of Audubon offered the following amendment H—4031 filed from the floor by Anderson, Van Camp and Corey and moved its adoption:

H—4031

Amend Senate File 530 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 22, by striking the figure "124,501" and inserting in lieu thereof the figure "128,063".

Roll call was requested by Renaud of Polk and Jochum of Dubuque.

On the question "Shall amendment H—4031 be adopted?"

The ayes were, 32:

Anderson	Bennett	Carpenter	Clark
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hoffmann-Bright	Hummel
Jay	Krewson	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Renken	Rensink	Royer	Schnekloth
Schroeder	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen

The nays were, 55:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Davitt	De Groot
Doderer	Fey	Fogarty	Gronstal
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jochum	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Pellett	Poncy	Renaud
Rosenberg	Running	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Zimmerman	Mr. Speaker	

Absent or not voting, 13:

Branstad	Connors	Corey	Daggett
Groninga	Groth	Hermann	Pavich

Sherzan	Stromer	Sullivan	Welden
Woods			

Amendment H—4031 lost.

Van Camp of Scott offered the following amendment H—4029 filed from the floor by Van Camp, Anderson, Renken and Corey and moved its adoption:

H—4029

Amend Senate File 530 as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, line 11, by striking the figure "47,034" and inserting in lieu thereof the figure "50,035".

2. Page 4, line 15, by striking the figure "547,046" and inserting in lieu thereof the figure "558,211".

Roll call was requested by Jochum of Dubuque and Renaud of Polk.

On the question "Shall amendment H—4029 be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Buhr
Carpenter	Clark	Corey	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Pellett
Renken	Rensink	Royer	Running
Schnekloth	Schroeder	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen

The nays were, 55:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Peick

Poncy	Renaud	Rosenberg	Sherzan
Shoultz	Skow	Spear	Sturgeon
Swartz	Tabor	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 9:

Connors	Daggett	Groninga	Hermann
O'Kane	Pavich	Stromer	Sullivan
Welden			

Amendment H—4029 lost.

(Senate File 530 pending at recess.)

UNANIMOUS CONSENT

Norland of Worth asked and received unanimous consent to suspend the rules for a committee on ways and means meeting upon recess.

On motion by Norland of Worth, the House was recessed at 11:59 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 27, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 574, a bill for an act relating to filing of an application for an exemption from the property tax for pollution-control equipment.

K. MARIE THAYER, Secretary

BUSINESS PENDING AT RECESS

The House resumed consideration of **Senate File 530,** a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions, pending at recess.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—4027 filed by him from the floor.

Chiodo of Polk offered the following amendment H—4028 filed by him from the floor and moved its adoption:

H—4028

Amend Senate File 530 as amended, passed and reprinted by the Senate, as follows:

1. Page 5, by inserting after line 15 the following:

"Sec. . Chapter 79, Code 1983, is amended by adding the following new section:

NEW SECTION. 79.17 ADDITIONAL PAYROLL DEDUCTIONS.

1. For the purposes of purchasing insurance and at the request of five hundred or more state officers or employees, the state officer in charge of the payroll system shall deduct from the wages or salaries of the state officers or employees an amount specified by each of the officers or employees for payment to any insurance company authorized to do business in this state if the following conditions are met:

a. The request for the payroll deduction is made in writing to the officer in charge of the payroll system.

b. The pay period during which the deduction is made, the frequency, and the amount of the deduction are compatible with the payroll system.

2. The moneys deducted under this section shall be paid promptly to the insurance company designated by the state officers or employees. The deduction may be made even though the compensation paid to an officer or employee is reduced to an amount below the minimum prescribed by law. Payment to an officer or employee of compensation less the deduction shall constitute a full discharge of claims and demands for services rendered by the officer or employee during the period covered by the payment. The request for the deduction may be withdrawn at any time by filing a written notification of withdrawal with the state officer in charge of the payroll system."

2. By numbering sections to conform to this amendment.

Amendment H—4028 was adopted.

Clark of Cerro Gordo moved to reconsider the vote by which amendment H—4015, as amended, was adopted by the House on May 5, 1983.

A non-record roll call was requested.

The ayes were 42, nays 46.

The motion lost.

Renaud 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. 530)

The ayes were, 81:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Cochran	Connolly	Cooper
Copenhaver	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 15:

Anderson	Clark	Corey	Daggett
De Groot	Grandia	Handorf	Maulsby
Renken	Rensink	Spear	Tofte
Torrence	Van Camp	Van Maanen	

Absent or not voting, 4:

Connors	Pavich	Sullivan	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 530)

Norland of Worth asked and received unanimous consent to immediately message Senate File 530 to the Senate.

Blanshan of Greene in the chair at 2:03 p.m.

Senate File 531, 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, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H–3996 filed by the committee on appropriations:

H–3996

Amend Senate File 531, as amended, passed, and reprinted by the Senate, as follows:

H–3996A

1. Page 4, line 6, by striking the figure "4,836,947" and inserting in lieu thereof the figure "4,600,197".

2. Page 4, by striking lines 9 through 12 and inserting in lieu thereof the following:

c. For undercover purchases by the division of criminal investigation agents and local law enforcement agents ..... $200,000".

H–3996B

3. Page 8, by inserting after line 29 the following new section:

"Sec. /. Chapter 79, Code 1983, is amended by adding the following new section:

NEW SECTION. An employee of the department of public safety or the state conservation commission who retires after the effective date of this Act is eligible for payment of life or health insurance premiums as provided for in the collective bargaining agreement covering the public safety bargaining unit at the time of retirement if that employee previously served in a position which would have been covered

by that agreement. The employee shall be given credit for the service in that prior position as though it was covered by the agreement. This section shall not operate to reduce any retirement benefits the employee may have earned under other collective bargaining agreements or retirement programs."

H—3996C

4. Page 8, by inserting after line 29 the following section:

"Sec. 30. Section 25A.14, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a highway, secondary road, or street as defined in section 321.1, subsection 48, or a public improvement as defined in section 384.37, subsection 1, or other public facility that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing highway, secondary road, street, public improvement, or other public facility to new, changed, or altered design standards. In respect to highways and roads, sealcoating,

Page 2

asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, or maintaining an existing highway or road does not constitute reconstruction."

5. Page 14, by inserting after line 18 the following:

"Sec. 40. Section 613A.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a highway, secondary road, or street as defined in section 321.1, subsection 48, or a public improvement as defined in section 384.37, subsection 1, or other public facility that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in

existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing highway, secondary road, street, public improvement, or other public facility to new, changed, or altered design standards. In respect to highways and roads, sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, or maintaining an existing highway or road does not constitute reconstruction.

Sec. 41. Section 613A.4, subsection 3, Code 1983, is amended to read as follows:

3. Any claim based upon an act or omission of an officer or employee of the municipality, exercising due care, in the execution of a statute, ordinance, or regulation whether the statute, ordinance or regulation is valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of the municipality or an officer or employee of the municipality, whether or not the discretion is abused.

Sec. 42. NEW SECTION. COMPARATIVE NEGLIGENCE—EFFECTS.

1. If a claim alleges negligence as the basis for the recovery of damages for injury or death of a person or harm to property, negligence that is chargeable to the claimant diminishes proportionately the amount to be awarded to the claimant as compensatory damages for loss to which the claimant's negligence contributed, provided that recovery by the claimant for the loss is barred if the contributing

negligence that is chargeable to the claimant is greater than the negligence that is chargeable to all other persons in respect to the loss.

2. In the trial of a claim involving the negligence of two or more persons, including claimants, defendants, third-party defendants, persons who have been released under section 44 of this Act, and persons who are not parties to the action, the court, unless otherwise agreed by all the parties to the action, shall instruct the jury to answer special interrogatories, or if there is no jury the court shall make findings of both of the following:

a. The amount of damages the claimant would be entitled to recover if negligence chargeable to the claimant is disregarded.

b. The percentage of the total negligence allocated

to each claimant, defendant, third-party defendant, person who has been released from liability under section 44 of this Act, and person who is determined to have been negligent but who is not a party to the action. For purposes of this paragraph, the court shall disregard the rule of joint and several liability of defendants, but the court may determine that two or more persons are to be treated as one negligent person.

3. In determining the percentages of negligence, the trier of fact shall consider both the nature of the conduct of each negligent party and the extent of the causal relation between negligent conduct and the loss for which damages are claimed.

4. If the claim is tried to a jury, the court shall not give instructions or permit evidence or argument with respect to the effects of the answers to be returned to the interrogatories submitted under subsection 2.

5. The court shall determine the amount of damages payable to each claimant by each other party, if any, in accordance with the findings of the court or jury and the provisions of sections 42 through 44 of this Act.

6. The liability of a party, if any, is limited to that percentage of the damages as found under subsection 2, paragraph a, that is equal to the percentage of negligence chargeable to the party as found under subsection 2, paragraph b. The rule of joint and several liability does not apply if plaintiff is found to bear any comparative negligence.

Sec. 43. NEW SECTION. OFFSETTING CLAIMS. A claim and counterclaim shall not be set off against each other, except by agreement of both parties. However,

Page 4

if upon motion of either party the court finds that the obligation of either party is likely to be uncollectible the court may order that both parties make payment to the court for distribution. The court shall distribute the funds received, and shall declare obligations discharged as if the payment to the court by either party had been a payment to the other party and as if the distribution of the funds back to the party making payment had been a payment to that party by the other party.

Sec. 44. NEW SECTION. EFFECT OF RELEASE. A release, covenant not to sue, or similar agreement entered into by a claimant and a person who is or may be liable to the claimant for damages discharges

the person from liability to the claimant. The agreement does not discharge other persons that are or may be liable unless the agreement so provides, but the agreement does reduce the amount of damages that are recoverable from other persons who are or may be liable to the extent of amounts paid to the claimant in contemplation of the agreement.

Sec. 45. The supreme court shall submit to the general assembly during the 1984 session in the manner provided in section 684.19 changes in the rules of procedure for courts which are necessitated by the enactment of this Act.

Sec. 46. Section 619.17, Code 1983, is repealed. This section shall not be construed to reinstate a rule requiring a claimant to plead and prove freedom from contributory negligence.

Sec. 47. This Act takes effect July 1, 1983, and applies to all cases tried or retried on or after that date.

Sec. 48. The legislative council is directed to establish a joint subcommittee of the senate committee on judiciary, the house committee on judiciary and law enforcement, and the senate and house committees on commerce, to be composed of seven members of the house and seven members of the senate, to study the matter of comparative negligence, comparative fault and contributory negligence as they apply to the broad spectrum of tort law in Iowa, during the interim between the Seventieth General Assembly's first and second session. This joint subcommittee shall be authorized to meet for not less than five days."

H—3996D

6. Page 15, by inserting after line 2 the following section:

"Sec. . If the state comptroller reduces the state revenue estimates in May or any succeeding month below the state revenue estimates and projections

Page 5

provided by the state comptroller in April, 1983, funds shall be transferred to the general fund of the state in the manner provided in this section.

Notwithstanding the provisions of section 423.24, there shall be transferred from the revenues collected under chapter 423 in the fiscal year beginning July 1, 1983 and ending June 30, 1984, from the use tax collected on motor vehicles, trailers and motor vehicle accessories and equipment under section 423.7 an

amount equal to the total cumulative difference between the state comptroller's April, 1983 state revenue estimates and the state comptroller's state revenue estimates for the fiscal year beginning July 1, 1983 and ending June 30, 1984 and the state comptroller's state revenue estimates in May, 1983 for the fiscal year beginning July 1, 1983 and ending June 30, 1984 or any succeeding month for the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall be transferred to the general fund of the state. However, the amount transferred during the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall not exceed twenty million (20,000,000) dollars."

H—3996E

7. Title page, by striking lines 1 through 3, and inserting in lieu thereof the following: "An Act providing for the maintenance of the financial stability of certain state and local agencies by providing conditions by which they may be held liable for damages and making appropriations to state agencies whose responsibilities relate to transportation, public safety, and public defense."

8. Renumber sections and correct internal references as necessary in accordance with this amendment.

Jochum of Dubuque offered the following amendment H—4035, to the committee amendment H—3996, filed by him from the floor and moved its adoption:

H—4035

Amend the Committee on Appropriations amendment, H—3996, to Senate File 531, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 3, 4, and 5 and inserting in lieu thereof the following:

" . Page 2, line 12, by striking the figure "4,639,967" and inserting in lieu thereof the figure "4,603,217".

. Page 4, line 6, by striking the figure "4,836,947" and inserting in lieu thereof the figure "4,636,947".

Amendment H—4035 was adopted.

On motion by Jochum of Dubuque, the committee amendment H—3996A, as amended, was adopted.

On motion by Jochum of Dubuque, the committee amendment H—3996B was adopted.

Skow of Guthrie offered the following amendment H—4038, to the committee amendment H—3996C, filed from the floor by Jochum, Skow, Schroeder, Blanshan, Halvorson of Clayton, Harbor, Fogarty, Royer, Muhlbauer, Renken, Torrence, Cooper, Grandia and Handorf and moved its adoption:

H—4038

Amend the House amendment H—3996 to Senate File 531, as amended, passed, and reprinted by the Senate as follows:

1. By striking page 2, line 49 through page 3, line 3 and inserting in lieu thereof the words "negligence contributed."

2. Page 4, by striking lines 31 through 33, and inserting in lieu thereof the following:

"Sec. 47. Sections 30 and 40 through 44 of this Act apply only to cases tried or retried on or after July 1, 1983 and before July 1, 1984. Sections 30 and 40 through 44 of this Act are repealed July 1, 1984."

3. Page 4, line 38, by striking the word "seven" and inserting in lieu thereof the word "eight".

4. Page 4, line 39, by striking the word "seven" and inserting in lieu thereof the word "eight".

Amendment H—4038 was adopted.

Varn of Johnson rose on a point of order that amendment H—3996C was not germane.

The Speaker ruled the point well taken and amendment H—3996C not germane.

Jochum of Dubuque moved that the rules be suspended to consider amendment H—3996C.

Roll call was requested by Chapman of Linn and Varn of Johnson.

On the question "Shall the rules be suspended to consider amendment H—3996C?"

The ayes were, 67:

Anderson	Arnould	Avenson	Bennett
Black	Branstad	Carpenter	Carter
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Harbor	Hermann	Hoffmann-Bright	Holveck
Hughes	Jochum	Knapp	Koenigs
Lageschulte	Lonergan	Maulsby	McKean
Menke	Miller	Muhlbauer	Oxley
Paulin	Pellett	Renaud	Renken
Rensink	Royer	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Swartz	Swearingen
Tabor	Torrence	Van Gerpen	Van Maanen
Welden	Woods	Mr. Speaker (Blanshan)	

The nays were, 29:

Baxter	Brammer	Buhr	Carl
Chapman	Doderer	Gronstal	Hammond
Hanson	Haverland	Hummel	Jay
Krewson	Lloyd-Jones	McIntee	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Peick	Poncy	Rosenberg
Running	Sturgeon	Van Camp	Varn
Zimmerman			

Absent or not voting, 4:

Connors	Pavich	Sullivan	Tofte

The motion prevailed and the rules were suspended to consider amendment H–3996C, as amended.

Jochum of Dubuque moved the adoption of the committee amendment H–3996C, as amended.

Roll call was requested by Chapman of Linn and O'Kane of Woodbury.

On the question "Shall the committee amendment H–3996C, as amended, be adopted?"

The ayes were, 53:

Anderson	Arnould	Avenson	Bennett
Branstad	Carpenter	Chiodo	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Fogarty
Grandia	Groninga	Groth	Halvorson, R. A.
Halvorson, R. N.	Handorf	Harbor	Hermann
Hoffmann-Bright	Jochum	Knapp	Lageschulte
Lonergan	Maulsby	Miller	Muhlbauer
Norland	Oxley	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Sherzan	Skow	Spear	Stromer
Stueland	Swartz	Swearingen	Torrence
Van Camp	Van Maanen	Welden	Woods
Mr. Speaker (Blanshan)			

The nays were, 45:

Baxter	Black	Brammer	Buhr
Carl	Carter	Chapman	Clark
Connors	Diemer	Doderer	Fey
Gronstal	Gruhn	Hammond	Hanson
Haverland	Holveck	Hughes	Hummel
Jay	Koenigs	Krewson	Lloyd-Jones
McIntee	McKean	Menke	Mullins
O'Kane	Ollie	Osterberg	Parker
Paulin	Peick	Poncy	Renaud
Rosenberg	Running	Shoultz	Sturgeon
Tabor	Tofte	Van Gerpen	Varn
Zimmerman			

Absent or not voting, 2:

Pavich	Sullivan

The committee amendment, H—3996C, as amended, was adopted.

Jochum of Dubuque asked and received unanimous consent to defer action on amendment H—4037 to consider amendment H—4013.

Jochum of Dubuque offered the following amendment H—4013, to the committee amendment H—3996D, filed by him:

H–4013

Amend the Committee on Appropriations amendment, H–3996, to Senate File 531 as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 4, line 48 through page 5, line 22 and inserting in lieu thereof the following:

"Sec. . If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the transfers authorized by this section have been made.

Notwithstanding the provisions of section 423.24, there shall be transferred from the revenues collected under chapter 423 in the fiscal year beginning July 1, 1983 and ending June 30, 1984, from the use tax collected on motor vehicles, trailers and motor vehicle accessories and equipment under section 422.7 an amount necessary to provide the estimated budget resources necessary to pay all appropriations in full. However, the total amount transferred during the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall not exceed twenty million (20,000,000) dollars.

If upon transfer of the twenty million (20,000,000) dollars authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31."

Speaker Avenson in the chair at 4:05 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baxter of Des Moines, for the remainder of the day, May 6 and 9, 1983, on request of Varn of Johnson.

The following amendment H–4045, to amendment H–4013, (to the committee amendment H–3996D) filed by Jochum of Dubuque from the floor was adopted by unanimous consent:

H—4045

Amend amendment H—4013 to amendment H—3996 to Senate File 531 as follows:

1. Page 1, line 19, by striking the numerals "422.7" and inserting in lieu thereof the numerals "423.7".

Jochum of Dubuque moved the adoption of amendment H—4013, as amended, to the committee amendment H—3996D.

Roll call was requested by Lageschulte of Bremer and Parker of Jasper.

Rule 76 was invoked.

On the question "Shall amendment H—4013 be adopted?"

The ayes were, 51:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Chapman	Chiodo
Cochran	Connolly	Connors	Davitt
Doderer	Fey	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Ollie	Osterberg	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 45:

Anderson	Bennett	Branstad	Carpenter
Carter	Clark	Cooper	Copenhaver
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Muhlbauer
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden			

Absent or not voting, 4:

Baxter	Oxley	Pavich	Sullivan

Amendment H—4013 was adopted, placing out of order amendment H—4012 filed by Welden of Hardin on May 4, 1983.

Jochum of Dubuque offered the following amendment H—4037, to the committee amendment H—3996D, filed by him from the floor. Division was requested as follows:

H—4037

Amend the Committee on Appropriations amendment, H—3996, to Senate File 531, as amended, passed, and reprinted by the Senate, as follows:

H—4037A

1. Page 4, line 47, by striking the word "section" and inserting in lieu thereof the word "sections".

H—4037B

2. Page 5, by inserting after line 22 the following section:

"Sec. . It is the intent of the general assembly that any funds transferred during the fiscal year beginning July 1, 1983 and ending June 30, 1984 to the general fund of the state from use tax receipts collected on motor vehicles, trailers and motor vehicle accessories and equipment under section 423.7 shall be repaid from the general fund of the state to the road use tax fund in the fiscal year beginning July 1, 1984 and ending June 30, 1985."

On motion by Jochum of Dubuque, amendment H—4037A was adopted.

Stromer of Hancock asked and received unanimous consent to temporarily defer action on amendment H—4037B.

On motion by Jochum of Dubuque, the committee amendment H—3996E was adopted.

Halvorson of Webster in the chair at 4:48 p.m.

Stromer of Hancock offered the following amendment H—4041 filed by him from the floor and moved its adoption:

H—4041

Amend Senate File 531, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by striking lines 13 through 18.

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

Amendment H—4041 was adopted.

Woods of Polk offered the following amendment H—3998 filed by him:

H—3998

Amend Senate File 531, as amended, passed, and reprinted by the Senate, as follows:

1. Page 6, by inserting after line 33 the following:

"4. For the purchase of registration plates for registration years beginning on or after January 1, 1985 which registration plates shall meet the minimum performance standards specified in the federal motor vehicle safety standard 108, chapter V, national highway traffic safety administration, United States department of transportation ..... $ 5,950,000".

Jochum of Dubuque rose on a point of order that amendment H—3998 was not germane.

The Speaker ruled the point not well taken and amendment H—3998 germane.

Woods of Polk moved the adoption of amendment H—3998.

A non-record roll call was requested.

The ayes were 34, nays 54.

Amendment H—3998 lost.

The House resumed consideration of amendment H—4037B, to the committee amendment H—3996D.

Jochum of Dubuque asked and received unanimous consent to defer action on amendment H–4037B.

Welden of Hardin offered the following amendment H–4046, to the committee amendment H–3996D, filed by him from the floor and moved its adoption:

H–4046

Amend amendment H–3996 to Senate File 531 as amended, passed and reprinted by the Senate as follows:

1. Page 5, by inserting after line 22 the following:

"Any funds transferred to the general fund of the state under this section during the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall revert from the general fund of the state to the road use tax fund not more than ninety days following June 30, 1984."

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

Rule 76 was invoked.

On the question "Shall amendment H–4046 be adopted?"

The ayes were, 47:

Anderson	Bennett	Branstad	Carpenter
Clark	Cochran	Cooper	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Muhlbauer
Mullins	O'Kane	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swartz
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 50:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Connolly	Connors
Copenhaver	Davitt	Doderer	Fey
Groninga	Gronstal	Groth	Hammond
Haverland	Holveck	Hughes	Jay

Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Norland	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Tabor	Varn	Woods
Zimmerman	Mr. Speaker (Halvorson of Webster)		

Absent or not voting, 3:

Baxter	Pavich	Sullivan

Amendment H—4046 lost.

The House resumed consideration of amendment H—4037B, to the committee amendment H—3996D.

On motion by Jochum of Dubuque, amendment H—4037B was adopted.

Jochum of Dubuque moved the adoption of the committee amendment H—3996D, as amended.

Roll call was requested by Bennett of Ida and Branstad of Winnebago.

On the question "Shall the committee amendment H—3996D, as amended, be adopted?"

The ayes were, 56:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 38:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 6:

Baxter	Haverland	Krewson	Pavich
Schroeder	Sullivan		

Amendment H—3996D, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Haverland of Polk, for a portion of the day, on request of Ollie Clinton; Tofte of Winneshiek, for the remainder of the day, on request of Bennett of Ida.

Copenhaver of Buchanan offered the following amendment H—4011 filed by him and moved its adoption:

H—4011

Amend Senate File 531 as amended, passed, and reprinted by the Senate, as follows:

1. Page 12, line 20, by striking the words "center of a roadway" and inserting in lieu thereof the word "highway".

Amendment H—4011 was adopted.

Maulsby of Calhoun offered amendment H—4004 filed by him. Division was requested as follows:

H—4004

Amend Senate File 531 as amended, passed, and reprinted by the Senate, as follows:

H—4004A

1. Page 12, line 10, by striking the word "five" and inserting in lieu thereof the words "~~five~~ four".

H—4004B

2. Page 12, by inserting after line 20 the following new section:

"Sec. . Section 312.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 14. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the state department of transportation one hundred thousand dollars from the road use tax funds. The state department of transportation shall expend the funds for the planting or maintenance of trees or shrubs in shelter belts for erosion control to reduce wind erosion interfering with the maintenance of highways in the state or the safe operation of vehicles on the highways."

3. Renumber sections and correct internal references as necessary in accordance with this amendment.

Halvorson of Webster asked and received unanimous consent to defer action on amendment H—4004A for the consideration of amendment H—3995.

Gronstal of Pottawattamie in the chair at 6:15 p.m.

Welden of Hardin offered the following amendment H—3995 filed by him and Jochum of Dubuque and moved its adoption:

H—3995

Amend Senate File 531 as amended, passed, and reprinted by the Senate, as follows:

1. Page 12, by striking lines 8 through 20 and inserting in lieu thereof the following:

"9. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the ~~Iowa~~ state department of ~~soil conservation five~~ transportation one hundred thousand dollars from the road use tax funds. The state department of ~~soil conservation, in co-operation with the department of~~ transportation ~~and the Iowa conservation commission~~ shall expend ~~such~~ the funds, for the ~~lease or other use of land intended for the~~

planting or maintenance of trees or shrubs in shelter belts for wind erosion control ~~barriers designed~~ to reduce wind erosion interfering with the maintenance of highways in the state or the safe operation of vehicles ~~thereon~~ on the highways."

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 46, nays 46.

Amendment H—3995 lost.

The House resumed consideration of amendment H—4004A. The request for division of amendment H—4004 was withdrawn.

Maulsby of Calhoun moved the adoption of amendment H—4004.

Roll call was requested by Cochran of Webster and Carl of Poweshiek.

On the question "Shall amendment H—4004 be adopted?"

The ayes were, 53:

Anderson	Arnould	Avenson	Bennett
Brammer	Buhr	Carter	Chiodo
Connolly	Corey	Daggett	Diemer
Fey	Grandia	Groninga	Halvorson, R. A.
Handorf	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Maulsby	McIntee	Miller	Norland
O'Kane	Ollie	Parker	Paulin
Pellett	Poncy	Renaud	Renken
Rensink	Royer	Schnekloth	Schroeder
Sherzan	Stromer	Stueland	Sturgeon
Van Camp	Van Gerpen	Van Maanen	Welden
Mr. Speaker (Gronstal)			

The nays were, 38:

Black	Blanshan	Carl	Carpenter
Chapman	Clark	Cochran	Connors
Cooper	Copenhaver	Davitt	De Groot

Doderer	Fogarty	Groth	Gruhn
Halvorson, R. N.	Hammond	Hanson	Jay
Lonergan	McKean	Muhlbauer	Mullins
Osterberg	Oxley	Peick	Rosenberg
Running	Skow	Spear	Swartz
Swearingen	Tabor	Torrence	Varn
Woods	Zimmerman		

Absent or not voting, 9:

Baxter	Branstad	Harbor	Haverland
Menke	Pavich	Shoultz	Sullivan
Tofte			

Amendment H—4004 was adopted.

Schnekloth of Scott offered the following amendment H—3989 filed by him and Jochum of Dubuque:

H—3989

Amend Senate File 531 as amended, passed, and reprinted by the Senate, as follows:

1. Page 12, by inserting after line 20 the following:

"Sec. . Section 321.37, unnumbered paragraph 1, Code 1983, is amended to read as follows:

~~Registration plates issued for a motor vehicle other than a motorcycle, motorized bicycle or a truck tractor shall be attached to the motor vehicle, one in the front and the other in the rear.~~ The registration plate issued for a motor vehicle, motorcycle, motorized bicycle, or other vehicle required to be registered ~~hereunder~~ under this chapter, other than a truck tractor, shall be attached to the rear of the vehicle. The registration plate issued for a truck tractor shall be attached to the front of the truck tractor. The special plate issued to a dealer shall be attached on the rear of the vehicle when operated on the highways of this state."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

Woods of Polk rose on a point of order that amendment H—3989 was not germane.

The Speaker ruled the point well taken and amendment H—3989 not germane.

Jochum of Dubuque moved that the rules be suspended to consider amendment H—3989.

A non-record roll call was requested.

The ayes were 52, nays 31.

The motion prevailed and the rules were suspended.

Speaker Avenson in the chair at 7:24 p.m.

Schnekloth of Scott moved the adoption of amendment H—3989.

Roll call was requested by Miller of Woodbury and Black of Jasper.

On the question "Shall amendment H—3989 be adopted?"

The ayes were, 26:

Anderson	Arnould	Chapman	Connolly
Doderer	Fey	Grandia	Handorf
Hermann	Hoffmann-Bright	Hummel	Jochum
Krewson	Lloyd-Jones	McIntee	O'Kane
Parker	Pellett	Schnekloth	Sherzan
Swartz	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden		

The nays were, 67:

Bennett	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chiodo	Clark	Cochran	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Holveck	Hughes	Jay
Knapp	Koenigs	Lageschulte	Lonergan
Maulsby	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Paulin	Peick
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schroeder
Skow	Spear	Stromer	Stueland
Sturgeon	Swearingen	Tabor	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 7:

Baxter	Branstad	Haverland	Pavich
Shoultz	Sullivan	Tofte	

Amendment H—3989 lost.

Groninga of Cerro Gordo offered the following amendment H—4039 filed by him from the floor and moved its adoption:

H—4039

Amend Senate File 531, as amended, passed, and reprinted by the Senate, as follows:

1. Page 14, line 3, by striking the words "equal to one-third" and inserting in lieu thereof the words "~~equal to one-third~~".

2. Page 14, line 5, by inserting after the word "fund" the words "as provided in section 312.2, subsection 5".

Amendment H—4039 was adopted.

Groninga 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. 531)

The ayes were, 76:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Peick	Poncy	Renaud	Rensink
Rosenberg	Royer	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer

Sturgeon	Swartz	Swearingen	Tabor
Van Gerpen	Varn	Woods	Mr. Speaker

The nays were, 17:

Corey	Grandia	Handorf	Hermann
Lageschulte	Maulsby	Oxley	Paulin
Pellett	Renken	Running	Schnekloth
Stueland	Torrence	Van Camp	Van Maanen
Welden			

Absent or not voting, 7:

Baxter	Branstad	Haverland	Pavich
Sullivan	Tofte	Zimmerman	

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 531)

Norland of Worth asked and received unanimous consent to immediately message Senate File 531 to the Senate.

House File 641, a bill for an act relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984, was taken up for consideration.

Buhr of Polk in the chair at 7:47 p.m.

The House stood at ease at 7:48 p.m.

The House resumed session and consideration of House File 641 at 8:33 p.m., Speaker Avenson in the chair.

Hoffmann-Bright of Muscatine offered the following amendment H–4048 filed by her from the floor and moved its adoption:

H–4048

1 Amend House File 641 as follows:
2 1. Page 1, by striking lines 13 and 14 and
3 inserting in lieu thereof the following: "dred twenty-

four and seven-tenths full-time equivalent positions annually not including positions in general administration relating to corrections, main-".

2. Page 3, line 1, by striking the words "seventy-one and one-half" and inserting in lieu thereof the word "ninety-four".

3. Page 8, line 12, by inserting after the word "annually," the words "except as otherwise provided in this subsection,".

Amendment H—4048 was adopted.

Carter of Henry in the chair at 8:37 p.m.

Osterberg of Linn offered the following amendment H—4047 filed from the floor by Osterberg, McIntee, Branstad, Koenigs and Oxley and moved its adoption:

H—4047

Amend House File 641 as follows:

1. Page 1, line 15, by striking the figure "7,545,000" and inserting in lieu thereof the figure "7,528,800".

2. Page 2, by inserting after line 18 the following:

" . For purchases of motor fuel and special fuel ..... $12,825".

3. By striking page 2, line 35, through page 3, line 6 and inserting in lieu thereof the following: "the following amounts, or so much thereof as is necessary:

	1983-1984 Fiscal Year
1. For salaries and support of not more than two thousand one hundred seventy-one and one-half full-time equivalent positions annually, maintenance, and miscellaneous purposes	$21,005,100
2. For purchases of motor fuel and special fuel	$ 43,463".

4. Page 11, by striking lines 27 through 35 and inserting in lieu thereof the following: "nile home:

a. For salaries and support of not more than two hundred

one full-time equivalent positions
annually at the state training
school, and of not more than one
hundred fifteen full-time equiva-
lent positions annually at the
Iowa juvenile home, maintenance,
and miscellaneous purposes ..... $ 7,478,000
b. For purchases of motor
fuel and special fuel ..... $ 21,375".
5. By renumbering as necessary.

Amendment H—4047 was adopted, placing out of order lines 7 through 9 of amendment H—4048, previously adopted.

Welden of Hardin offered the following amendment H—4049 filed from the floor by him and Van Maanen of Mahaska. Division was requested as follows:

H—4049

Amend House File 641 as follows:

H—4049A

1. Page 1, line 15, by striking the figure "7,545,000" and inserting in lieu thereof the figure "7,240,000".
2. Page 3, line 6, by striking the figure "21,060,000" and inserting in lieu thereof the figure "19,062,800".

H—4049B

3. Page 9, line 13, by striking the figure "20,950,000" and inserting in lieu thereof the figure "20,223,400".
4. Page 12, line 5, by striking the figure "83,000" and inserting in lieu thereof the figure "63,200".
5. Page 12, line 16, by striking the figure "4,115,000" and inserting in lieu thereof the figure "2,559,300".

Amendment H—4049A was out of order with the adoption of amendment H—4047.

Clark of Cerro Gordo offered the following amendment H—4009 filed by her and Hoffmann-Bright of Muscatine and moved its adoption:

H—4009

Amend House File 641 as follows:

1. Page 2, by inserting after line 22 the following:

"The department shall adopt rules pursuant to chapter 17A excluding from eligibility for federal surplus commodities those individuals who are residents of an institution which makes available to the individuals seventy percent or more of three meals, seven days per week."

Roll call was requested by Bennett of Ida and Schroeder of Pottawattamie.

On the question "Shall amendment H—4009 be adopted?"

The ayes were, 39:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Koenigs	Lageschulte	Maulsby
McIntee	McKean	Menke	Muhlbauer
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 53:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Holveck	Hughes	Jay	Jochum
Knapp	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Skow	Spear	Sturgeon	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Carter)			

Absent or not voting, 8:

Baxter	Haverland	Krewson	Pavich
Shoultz	Sullivan	Swearingen	Tofte

Amendment H—4009 lost.

Van Camp of Scott offered the following amendment H–4020 filed by him from the floor and moved its adoption:

H–4020

Amend House File 641 as follows:

1. Page 3, line 31, by striking the word "ten" and inserting in lieu thereof the word "five".

2. Page 4, by striking lines 3 through 8 and inserting in lieu thereof the words "amount withheld."

Roll call was requested by Swartz of Marshall and Jay of Appanoose.

On the question "Shall amendment H–4020 be adopted?"

The ayes were, 35:

Anderson	Branstad	Buhr	Carpenter
Chapman	Clark	Corey	De Groot
Diemer	Halvorson, R. A.	Hammond	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Hummel	Krewson	Lageschulte	McIntee
McKean	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Van Camp	Van Gerpen	Welden	

The nays were, 57:

Arnould	Bennett	Black	Blanshan
Brammer	Carl	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Daggett	Davitt	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Handorf
Jay	Jochum	Koenigs	Lloyd-Jones
Lonergan	Maulsby	Menke	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Swartz	Tabor	Torrence
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker (Carter)			

Absent or not voting, 8:

Avenson	Baxter	Haverland	Hughes
Knapp	Pavich	Sullivan	Tofte

Amendment H—4020 lost.

Van Maanen of Mahaska offered the following amendment H—4022 filed by him from the floor and moved its adoption:

H—4022

Amend House File 641 as follows:

1. Page 4, line 32, by inserting after the word "coverage" the words "and administration".

Amendment H—4022 was adopted.

Carl of Poweshiek offered the following amendment H—4044 filed from the floor by her:

H—4044

Amend House File 641 as follows:

1. Page 5, line 8, by striking the word "Sundays" and inserting in lieu thereof the words "the participant's sabbath".

2. Page 18, by striking lines 7 through 16.

3. Page 18, by striking lines 29 and 30 and inserting in lieu thereof the following:

"A financial institution which refuses to provide the information pursuant to this".

4. By striking page 18, line 35 through page 19, line 6 and inserting in lieu thereof the following:

" . The department of social services, in cooperation with the department of revenue and the federal internal revenue service, shall study the feasibility of obtaining information, relating to interest earnings records of an applicant for or a recipient of public assistance provided by the state or administered by the state, which would identify the applicant's or recipient's assets producing the interest earnings. The study shall pay strict attention to the confidentiality of the interest earnings records. If the department of social services, the department of revenue, and the federal internal revenue service agree on the method for obtaining the information, the department of social services shall implement a program to identify assets producing interest earnings."

Skow of Guthrie offered the following amendment H—4058, to amendment H—4044, filed by him from the floor and moved its adoption:

H—4058

Amend the amendment, H—4044, to House File 641, as follows:
1. Page 1, by striking lines 6 through 9 and inserting in lieu thereof the following:
"3. Page 18, by striking lines 17 through 34."

A non-record roll call was requested.

The ayes were 7, nays 84.

Amendment H—4058 lost.

Schroeder of Pottawattamie moved to reconsider the vote by which amendment H—4058, to amendment H—4044, failed to be adopted by the House on May 5, 1983.

Roll call was requested by Branstad of Winnebago and Skow of Guthrie.

On the question "Shall amendment H—4058 be reconsidered?"

The ayes were, 16:

Black	Branstad	Diemer	Fogarty
Halvorson, R. A.	Harbor	Hoffmann-Bright	Hummel
Menke	Muhlbauer	Renken	Royer
Running	Schroeder	Skow	Woods

The nays were, 77:

Anderson	Arnould	Avenson	Bennett
Blanshan	Brammer	Buhr	Carl
Carpenter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Doderer	Fey	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hermann	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan

Maulsby	McIntee	McKean	Miller
Mullins	Norland	O'Kane	Osterberg
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Rensink	Rosenberg
Schnekloth	Sherzan	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Zimmerman
Mr. Speaker (Carter)			

Absent or not voting, 7:

Baxter	Ollie	Oxley	Pavich
Shoultz	Sullivan	Tofte	

The motion to reconsider lost.

On motion by Carl of Poweshiek, amendment H—4044 was adopted.

Speaker Avenson in the chair at 9:25 p.m.

McIntee of Black Hawk offered the following amendment H—4051 filed from the floor by McIntee, Diemer, Van Gerpen and Shoultz and moved its adoption:

H—4051

Amend House File 641 as follows:

1. Page 7, line 26, by striking the figure "129,050,000" and inserting in lieu thereof the figure "129,328,000".

2. Page 7, by inserting after line 30 the following:

"Medical assistance shall be made available for the provision of long-term rehabilitation services to eligible, brain-damaged individuals."

A non-record roll call was requested.

The ayes were 27, nays 49.

Amendment H—4051 lost.

The House resumed consideration of amendment H—4049B.

Welden of Hardin moved the adoption of amendment H—4049B.

A non-record roll call was requested.

The ayes were 28, nays 57.

Amendment H—4049B lost.

Carl of Poweshiek offered the following amendment H—4019 filed from the floor by her and moved its adoption:

H—4019

Amend House File 641 as follows:
1. Page 12, line 16, by striking the figure "4,115,000" and inserting in lieu thereof the figure "3,115,000".

Amendment H—4019 was adopted.

Van Maanen of Mahaska offered the following amendment H—4005 filed by him and moved its adoption:

H—4005

Amend House File 641 as follows:
1. Page 13, by striking lines 2 through 19 and inserting in lieu thereof the following:
"2. The department, in establishing eligibility standards for sheltered work and work activity services, shall disregard the first sixty-five dollars of income from sheltered work on work activity services and fifty percent of any income from sheltered work on work activity services above sixty-five dollars."

Roll call was requested by Daggett of Taylor and Paulin of Plymouth.

On the question "Shall amendment H—4005 be adopted?"

The ayes were, 47:

Anderson	Bennett	Black	Branstad
Buhr	Carpenter	Clark	Corey

Daggett	De Groot	Diemer	Fogarty
Grandia	Groth	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Muhlbauer	Mullins	Paulin	Pellett
Poncy	Renken	Rensink	Royer
Schnekloth	Schroeder	Spear	Stueland
Sturgeon	Swearingen	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 48:

Arnould	Blanshan	Brammer	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Doderer	Fey	Groninga
Gronstal	Gruhn	Halvorson, R. N.	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 5:

Baxter	Pavich	Stromer	Sullivan
Tofte			

Amendment H—4005 lost.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H—4006 filed by him on May 4, 1983.

Skow of Guthrie offered the following amendment H—4018 filed by Skow, et al., and moved its adoption:

H—4018

Amend House File 641 as follows:

1. Page 14, line 26, by inserting after the figure "1981." the following: "If the department of social services determines that adequate funding is available, the department shall, on January 1, 1984, establish the maximum reimbursement rate for intermediate care facilities at the seventy-fourth percentile of all facilities' per diems as calculated from the December

31, 1983 compilation of unaudited financial and statistical reports. This compilation is composed of facility cost reports received prior to November 1, 1983."

Amendment H—4018 was adopted.

Carl of Poweshiek offered the following amendment H—4023 filed from the floor by her and moved its adoption:

H—4023

Amend House File 641 as follows:

1. Page 19, line 30, by inserting after the word "Act," the words "raising income guidelines for income eligible persons,".

Amendment H—4023 was adopted.

Carl of Poweshiek asked and received unanimous consent to withdraw amendment H—4017 filed by Carl, et al., on May 4, 1983.

Hoffmann-Bright of Muscatine asked and received unanimous consent to reconsider the vote by which amendment H—4047 (found on pages 833 and 834 of the House Journal) was adopted by the House on May 5, 1983.

Hoffmann-Bright of Muscatine offered the following amendment H—4057, to amendment H—4047, filed by her from the floor and moved its adoption:

H—4057

Amend the amendment, H—4047, to House File 641 as follows:

1. Page 1, line 18, by striking the words "seventy-one and one-half" and inserting in lieu thereof the word "ninety-four".

Amendment H—4057 was adopted.

On motion by Osterberg of Linn, amendment H—4047, as amended, was adopted.

Carl of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 641)

The ayes were, 95:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Welden

Absent or not voting, 4:

Baxter	Pavich	Sullivan	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 524, a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional

business deduction for wages paid or accrued for work done in the state by certain individuals.

Also: That the Senate has on May 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 541, a bill for an act relating to the codified provisions of the department of social services for programs under their jurisdiction.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILL

House File 649, by Norland and Stromer, a bill for an act relating to action by the board of parole concerning parole interviews and parole revocations.

Read first time and referred to committee on **judiciary and law enforcement.**

SENATE MESSAGES CONSIDERED

Senate File 524, by committee on ways and means, a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for wages paid or accrued for work done in the state by certain individuals.

Read first time and referred to committee on **ways and means.**

Senate File 541, by committee on appropriations, a bill for an act relating to the codified provisions of the department of social services for the medical assistance program; the child day care facility program; the aid to dependent children program; the child support and foster care recovery programs, including provisions relating to support recoveries for persons who are not public assistance recipients; the state supplementary assistance program; and the dependent adult abuse program.

Read first time and referred to committee on **appropriations.**

IMMEDIATE MESSAGE
(House File 641)

Norland of Worth asked and received unanimous consent to immediately message House File 641 to the Senate.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 5, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 116, an act relating to the certified eligible list for promotion for city civil service.

Senate File 151, an act to prohibit employers from charging applicants a fee as a condition of application or employment.

Senate File 202, an act relating to the coordination of public and private transportation programs and providing pilot projects.

Senate File 266, an act relating to qualifications for area education agency administrators.

Senate File 303, an act requiring nonresidents to register certain vehicles operated by residents and providing a penalty.

Senate File 304, an act relating to the time limit for petitioning for judicial review of a no-probable-cause decision of the Iowa Civil Rights Commission.

Senate File 359, an act relating to the office or individual charged with supervision of an offender and the preparation of a restitution plan of payment as a condition of probation, work release, or parole.

Senate File 360, an act relating to defining who is entitled to claims for materials furnished on public improvements.

Senate File 402, an act to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license.

Senate File 466, an act relating to the method of election of boards of directors of reorganized school districts.

COMMUNICATION FROM THE SECRETARY OF STATE

May 4, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 51 was published in the Audubon News-Advocate, Audubon, Iowa on April 20, 1983 and in the Guthrie Center Times, Guthrie Center, Iowa on April 27, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

Hanson of Delaware presented to the House the Honorable Karen Mann, former member of the House representing Greene County.

Krewson of Polk presented to the House the Honorable Jay Mennenga, former member of the House representing Clinton County, accompanied by two students from Urbandale High School, Des Moines.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-five sixth grade students from Shellsburg Elementary School, Shellsburg, accompanied by Sue Edwards. By Hummel of Benton.

Fifty fifth grade students from Maurice-Orange City Elementary School, Orange City, accompanied by Mr. Paul Koets. By Rensink of Sioux.

Thirty sixth grade students from Elk Horn-Kimballton Elementary School, Elk Horn, accompanied by Mrs. Nelson and Mr. Mertz. By Anderson of Audubon.

Eighteen students from Dallas Center-Grimes Community High School, Dallas Center, accompanied by Richard Atkins. By Haverland of Polk and Zimmerman of Dallas.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

AUDITOR OF STATE

A report of an audit of the statement of cash transactions of the General Assembly for the year ending June 30, 1982, pursuant to Chapter 11, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 346 Ways and Means

To allow certain nonprofit corporations owning property in this

state an extension of time to file for exemption from property taxes for a designated tax year.

AMENDMENTS FILED

H–4032	S.F.	532	Spear of Lee
H–4033	S.F.	538	Hermann of Scott
H–4042	S.F.	532	Jochum of Dubuque
H–4043	H.F.	646	Chiodo of Polk
H–4050	S.F.	538	Copenhaver of Buchanan
H–4052	S.F.	532	Spear of Lee
H–4053	S.F.	532	Halvorson of Clayton
H–4054	H.F.	644	Diemer of Black Hawk
			Spear of Lee
H–4055	S.F.	532	Spear of Lee
H–4056	H.F.	562	Groth of Buena Vista
H–4059	S.F.	448	Shoultz of Black Hawk
Groth of Buena Vista			Ollie of Clinton
Hughes of Union			Renaud of Polk
Running of Linn			Peick of Linn
Groninga of Cerro Gordo			Parker of Jasper
H–4060	H.F.	646	Jochum of Dubuque
H–4061	S.F.	532	Spear of Lee
H–4062	H.F.	646	Hammond of Story
			Jochum of Dubuque
H–4063	S.F.	461	Lageschulte of Bremer

On motion by Norland of Worth, the House adjourned at 10:20 p.m., until 9:00 a.m., Friday, May 6, 1983.

JOURNAL OF THE HOUSE

One Hundred Seventeenth Calendar Day—Seventy-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, May 6, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Monsignor A. W. Behrens, pastor of the St. Mary's Catholic Church, Mapleton.

The Journal of Thursday, May 5, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sullivan of Van Buren on request of O'Kane of Woodbury; Pavich of Pottawattamie on request of Speaker Avenson.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By Black of Jasper, from two hundred sixty-six constituents.

By Connors of Polk, from one hundred constituents.

By McIntee of Black Hawk, from one hundred three constituents.

By Sullivan of Van Buren, from one hundred sixteen Lee County residents.

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 5, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 123, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire fighters, persons providing emergency medical services, and penal and correctional facility staff, and providing penalties.

Also: That the Senate has on May 4, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 622, a bill for an act relating to the prepayment of special assessment installments.

Also: That the Senate has on May 4, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 623, a bill for an act to establish an Iowa industrial new jobs training program.

Also: That the Senate has on May 4, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

Also: That the Senate has on May 5, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 542, a bill for an act relating to a judge's membership in and contributions to the judicial retirement system.

Also: That the Senate has on May 6, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 544, a bill for an act relating to fees charged to grain dealers and grain warehouse operators by the commerce commission under chapters 542 and 543.

Also: That the Senate has on May 6, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 546, a bill for an act relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the federal fiscal year beginning October 1, 1982 and ending September 30, 1983.

Also: That the Senate has on May 6, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 547, a bill for an act providing for the period in which to claim a refund for taxes paid on a lump sum distribution.

Also: That the Senate has on May 4, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 37, providing that all resolutions calling for interim studies which have not been adopted by both houses be delivered to the Legislative Council for authorization of such studies as may be feasible.

Also: That the Senate has on May 4, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 38, regarding the annual report of the professional and occupational regulation commission.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 37
By Junkins and Hultman

Whereas, many resolutions and bills have been introduced in both the Senate and the House of Representatives calling for interim studies; and

Whereas, several legislators have indicated a desire to introduce resolutions proposing additional interim studies; and

Whereas, the time period between the 1983 Session and the 1984 Session of the Seventieth General Assembly is limited and there have been proposals for studies which appear to have merit but, because of their complexity and number, cannot all be properly conducted during the next interim period; and

Whereas, subcommittees of standing committees may desire to study bills presently before the general assembly which will carry over to the 1984 Session of the Seventieth General Assembly; and

Whereas, it is impractical to debate the relative merits of all proposals; and

Whereas, many resolutions have been referred to the Senate Committee on Rules and Administration or remain in the possession of the House under House Rule 25; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That all resolutions calling for interim studies which have not been adopted by both houses be delivered by the Secretary of the Senate, on the part of the Senate, and the Chief Clerk of the House, on the part of the House, to the Legislative Council, which shall determine priorities and shall authorize such studies as may be feasible within the limits of the staff,

Page 2

time and funds available; and

Be It Further Resolved, That any legislators desiring to propose any interim study not already contained in a resolution already filed shall submit a letter to the Secretary of the Senate or the Chief Clerk of the House describing the study; and

Be It Further Resolved, That the Secretary of the Senate and Chief Clerk of the House shall deliver such letters to the Legislative Council with any resolutions already filed. The Legislative Council shall give equal consideration to all studies proposed, whether by letter or resolution.

Laid over under Rule 25.

SENATE CONCURRENT RESOLUTION 38
By Miller of Des Moines and Slater of Pottawattamie

Whereas, the First Session of the Seventieth General Assembly has considered twenty-four bills relating to the regulation of professions and occupations which are currently subject to regulation or are seeking regulation; and

Whereas, the subject matter addressed in the bills relates to health care professionals, accountants, watchmakers, architects, private detectives, speech pathologists, and audiologists; and

Whereas, certain bills have passed the Seventieth General Assembly which relate to the regulation of professions and occupations and which could have an impact on the health, safety, and welfare of the citizens of this state; and

Whereas, chapter 2B of the Code of Iowa establishes the professional and occupational regulation commission and Senate File 391 which has passed the senate and house expands the responsibilities of the commission to include the evaluation of the continuing education requirements of the professions and occupations; and

Whereas, the professional and occupational regulation commission is required to file an annual report of its evaluations and recommendations with the chief clerk of the house and the secretary of the senate; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the professional and occupational regulation commission shall include in its annual report to be submitted to the Second Session of the Seventieth General Assembly evaluations and recommendations

Page 2

regarding a profession or occupation whose practices were expanded or restricted by legislation passed by the First Session of the Seventieth General Assembly; and

Be It Further Resolved, That the professional and occupational regulation commission shall select other professions and occupations for evaluation and recommendation which the commission determines can be comprehensively evaluated prior to the submission of the annual report and which were the subject of proposed legislation in the First Session of the Seventieth General Assembly.

Laid over under Rule 25.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 625, a bill for an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation, was taken up for consideration.

Osterberg of Linn offered the following amendment H–3987 filed by him:

H–3987

Amend House File 625 as follows:

1. Page 1, by striking lines 1 through 19.

2. Page 1, by striking lines 21 through 25 and inserting in lieu thereof the following:

"1. A tax is imposed upon the purchase of alcoholic beverages from a state liquor store by a consumer for personal use at the rate of five percent of the purchase price of the alcoholic beverage. The tax imposed by this subsection does not apply to the purchase of alcoholic beverages from the state by a person holding a liquor control license under section 123.30."

3. Page 2, lines 6 and 7, by striking the words and figure "sections 123.151 and" and inserting in lieu thereof the word "section".

4. Amend the title, line 2, by striking the words "beer and".

5. Amend the title, line 3, by inserting after the word "state" the words "at retail".

Poncy of Wapello in the chair at 9:37 a.m.

Osterberg of Linn moved the adoption of amendment H—3987.

Roll call was requested by Cochran of Webster and Davitt of Warren.

Rule 76 was invoked.

On the question "Shall amendment H—3987 be adopted?"

The ayes were, 45:

Bennett	Blanshan	Brammer	Buhr
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	Davitt
Diemer	Doderer	Grandia	Groninga
Halvorson, R. N.	Hammond	Handorf	Hanson
Holveck	Hughes	Koenigs	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Miller	Muhlbauer	Mullins	Osterberg
Pellett	Renken	Rensink	Rosenberg
Royer	Running	Sherzan	Shoultz
Sturgeon	Tabor	Van Gerpen	Van Maanen
Varn			

The nays were, 52:

Anderson	Arnould	Avenson	Black
Branstad	Carl	Carpenter	Carter
Chiodo	Connolly	Copenhaver	De Groot
Fey	Fogarty	Gronstal	Groth
Gruhn	Halvorson, R. A.	Harbor	Haverland
Hermann	Hoffmann-Bright	Hummel	Jay
Jochum	Knapp	Krewson	Lonergan
Menke	Norland	O'Kane	Ollie
Oxley	Parker	Paulin	Peick
Renaud	Schnekloth	Schroeder	Skow
Spear	Stromer	Stueland	Swartz
Swearingen	Tofte	Torrence	Van Camp
Welden	Woods	Zimmerman	Mr. Speaker (Poncy)

Absent or not voting, 3:

Baxter Pavich Sullivan

Amendment H—3987 lost.

Schroeder of Pottawattamie asked and received unanimous consent to defer action on amendment H—3789.

Swartz of Marshall offered the following amendment H—3991 filed by Swartz, et al. :

H—3991

Amend House File 625 as follows:

1. By striking page 1, line 1 through page 3, line 6 and inserting in lieu thereof the following:

"Section 1. NEW SECTION. 125.59 DISTRIBUTION OF FUNDS. When funds are appropriated by the general assembly for expenditure under this section, the funds shall be distributed as follows:

1. An amount necessary for staff, support and maintenance of the department and an amount necessary to pay twenty-five percent of the cost of local programs having a contract with the department shall be subtracted from the total amount.

2. Seventy-five percent of the remaining funds shall be used by the department for substance abuse programs and services. In requesting and allocating funds the department shall emphasize treatment and prevention programs and services, including new programs and services, within the guidelines of the appropriation. Funds available under this subsection shall not be used for salaries or administration of the department.

3. Twenty-five percent of the remaining funds shall be used to reimburse counties for the cost of substance abuse treatment and prevention programs operated or contracted by the county board of supervisors. The treasurer of state shall apportion the total amount available under this subsection to the counties on a per capita basis. A county board of supervisors may semiannually submit a claim to the treasurer of state for the actual amount expended by the county board of supervisors for substance abuse prevention and treatment programs, whether or not the program or facility is licensed by the department. The amount of the claim shall not exceed the county's per capita apportionment. If a county does not claim

its apportionment by June 30 of the fiscal year for which the appropriation was made, the amount shall revert to the general fund under section 8.33.

Unencumbered funds in the military service tax credit fund that are transferred to the general fund on May 31 of each year under section 426A.4 and other unobligated funds in the general fund are available for appropriation by the general assembly for distribution under this section.

Sec. 2. NEW SECTION. 125.60 REVIEW. The general assembly shall review the planning process under section 125.12, subsection 1, every two years, beginning in 1985.

2. Page 6, by striking lines 12 through 14 and inserting in lieu thereof the words "services for

Page 2

that purpose."

3. Page 8, by inserting after line 1 the following:

"Sec. . It is the intent of the general assembly that the general assembly shall appropriate funds to the department of substance abuse for the 1984-85 and succeeding fiscal years in an amount equal to or greater than and for the same purposes as funds appropriated to the department in House File 613 of the 1983 Session of the Seventy-first General Assembly and that funds provided for substance abuse under section 125.59, subsections 2 and 3, for the 1984-85 fiscal year shall supplement that regular appropriation to the department."

4. Page 8, by striking line 3 and inserting in lieu thereof the words and figures "July 1, 1984."

5. Amend the title, by striking lines 2 through 5 and inserting in lieu thereof the word "services."

Swartz of Marshall offered the following amendment H—4007, to amendment H—3991, filed by him and Welden of Hardin and moved its adoption:

H—4007

Amend amendment H—3991 to House File 625 as follows:

1. Page 1, line 9, by inserting after the word "department" the words ", an amount necessary to pay twenty-five percent of the cost of treatment of substance abusers at the state mental health institutes,".

A non-record roll call was requested.

The ayes were 83, nays 7.

Amendment H—4007 was adopted.

Speaker Avenson in the chair at 10:38 p.m.

Swartz of Marshall moved the adoption of amendment H—3991, as amended.

A non-record roll call was requested.

The ayes were 73, nays 20.

Amendment H—3991, as amended, was adopted placing out of order amendment H—3789 filed by Schroeder of Pottawattamie on April 18, 1983.

Fey 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. 625)

The ayes were, 95:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Oxley	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan

Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 2:

Davitt	Osterberg

Absent or not voting, 3:

Baxter	Pavich	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 21

Lonergan of Boone called up for consideration House Concurrent Resolution 21, urging the legislative council to establish a study committee to study the department of substance abuse, filed on March 28, 1983 and found on page 930 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(House File 625)

Norland of Worth asked and received unanimous consent to immediately message House File 625 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House Files 644 and 645 and Senate File 532.

Appropriations Calendar

House File 644, a bill for an act to appropriate the principal, interest and earnings from the special fund for the Herrick bequest to certain projects, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H–4064 filed by him from the floor and moved its adoption:

H—4064

Amend House File 644 as follows:
1. Page 1, by striking line 6 through 8.

A non-record roll call was requested.

The ayes were 33, nays 56.

Amendment H—4064 lost.

Diemer of Black Hawk offered the following amendment H—4054 filed by him and Spear of Lee:

H—4054

Amend House File 644 as follows:
1. Page 1, by inserting after line 28 the following:
"Sec. 3. 1982 Iowa Acts, chapter 1265, sections 1, 2, and 4, are amended to read as follows:
SECTION 1. The funds bequeathed by Mr. Glenn Grover Herrick from his estate are accepted and shall be deposited in a special fund in the state treasury and the principal and interest and earnings of ~~such~~ the funds ~~be~~ are subject to appropriation for the construction of a new state historical building or center. ~~Interest or earnings from the investment of the principal of the special fund shall be appropriated annually, consistent with the terms of the bequest, for projects other than a new state historical building or center as selected by the general assembly and approved by the governor upon recommendations by the committee created in section 4 of this Act.~~
SEC. 2. The capitol planning commission ~~shall be~~ is primarily responsible for the planning of the new historical building or center but shall consult with the state historical department, the state historical society, ~~the committee created in section 4 of this Act,~~ and other persons it determines can provide useful information for planning the building or center.
SEC. 4. Interest or earnings from investments of the funds in the special fund shall be credited to the special fund and invested in the manner provided in section 453.7. ~~The governor shall appoint a committee to make recommendations to the general assembly annually regarding the disposition of interest~~

~~or earnings credited to the special fund that are subject to appropriation for other projects. The committee shall be composed of two members of the senate, two members of the house of representatives and five citizens of the state. Not more than one senator, one representative and three of the citizens, respectively, shall be members of the same political party.~~"

Knapp of Dubuque rose on a point of order that amendment H—4054 was not germane.

The Speaker ruled the point not well taken and amendment H—4054 germane.

Diemer of Black Hawk moved the adoption of amendment H—4054.

A non-record roll call was requested.

The ayes were 39, nays 52.

Amendment H—4054 lost.

Stromer of Hancock asked and received unanimous consent that House File 644 be deferred and that the bill retain its place on the calendar.

The House stood at ease at 11:27 a.m., until the fall of the gavel.

The House resumed session at 11:30 a.m., Speaker Avenson in the chair.

Ways and Means Calendar

Senate File 461, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation, with report of committee recommending amendment and passage was taken up for consideration.

Black of Jasper in the chair at 11:32 a.m.

Varn of Johnson offered the following amendment H—3884 filed by the committee on ways and means:

H–3884

Amend Senate File 461, as passed by the Senate, as follows:

1. Page 1, line 6, by inserting after the word "economy" the words ", employment, the state treasury,".

2. Page 1, by inserting after line 12 the following:

"6. Examine tax preference items.

7. May examine the feasibility of creating a tax court to hear matters currently reviewed by the state board of tax review and judicial tax issues."

3. Page 1, line 16, by striking the words "unemployment compensation taxes,".

4. Page 1, by striking lines 25 through 29 and inserting in lieu thereof the following:

"3. The governor shall appoint four members, two of whom shall be appointed from the democratic party membership and subject to the approval of the majority leaders of the senate and house of representatives and two of whom shall be appointed from the republican party membership and subject to the approval of the minority leaders of the senate and house of representatives."

5. Page 1, line 31, by striking the words "the governor and".

6. Page 2, line 21, by inserting after the period the words "In hiring research personnel, where qualifications are comparable, preference shall be given to Iowa residents."

7. Page 2, line 25, by inserting after the word "duties" the words ", except that the study committee or its staff shall not have access to any tax returns or return information where access is specifically limited or prohibited by statute".

8. Renumber sections and correct internal references as necessary in accordance with this amendment.

Varn of Johnson offered the following amendment H–4067, to the committee amendment H–3884, filed by him from the floor and moved its adoption:

H–4067

Amend amendment H–3884 to Senate File 461 as follows:

1. Page 1, by striking lines 9 through 11.

Amendment H–4067 was adopted.

On motion by Varn of Johnson, the committee amendment H–3884, as amended, was adopted.

Lageschulte of Bremer offered the following amendment H–4063 filed by him and moved its adoption:

H–4063

Amend Senate File 461 as passed by the Senate as follows:

1. Page 1, by inserting after line 12 the following:

"6. Examine the impact of fringe benefits on the state income tax structure and how it affects various taxpayers of the state."

Roll call was requested by Menke of O'Brien and Branstad of Winnebago.

On the question "Shall amendment H–4063 be adopted?"

The ayes were, 43:

Anderson	Bennett	Branstad	Carpenter
Clark	Cooper	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Koenigs	Krewson
Lageschulte	Maulsby	McIntee	McKean
Menke	Muhlbauer	Mullins	O'Kane
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stueland
Swearingen	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 52:

Arnould	Avenson	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Lloyd-Jones	Lonergan	Miller
Norland	Ollie	Osterberg	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Black)

Absent or not voting, 5:

Baxter	Oxley	Pavich	Stromer
Sullivan			

Amendment H—4063 lost.

Speaker Avenson in the chair at 11:49 a.m.

The following amendment H—4070 filed by Varn of Johnson from the floor was adopted by unanimous consent:

H—4070

Amend Senate File 461 as follows:
1. Page 3, by striking lines 10 through 14.

Varn 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. 461)

The ayes were, 83:

Anderson	Arnould	Bennett	Black
Blanshan	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Haverland	Hermann	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Mühlbauer	Mullins	Norland
Ollie	Osterberg	Parker	Peick
Pellett	Poncy	Renaud	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 12:

Branstad	De Groot	Grandia	Handorf

Hoffmann-Bright	Maulsby	O'Kane	Oxley
Paulin	Renken	Rensink	Welden

Absent or not voting, 5:

Baxter	Brammer	Clark	Pavich
Sullivan			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

The House resumed consideration of **House File 644**, a bill for an act to appropriate the principal, interest and earnings from the special funds for the Herrick bequest to certain projects, previously deferred.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 644)

The ayes were, 83:

Anderson	Arnould	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Pellett
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoultz	Skow	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 11:

Bennett	Corey	Grandia	Hummel
Maulsby	Renken	Schroeder	Spear
Stromer	Van Maanen	Welden	

Absent or not voting, 6:

Baxter	Clark	Oxley	Pavich
Peick	Sullivan		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 645, a bill for an act making an appropriation to the Iowa merit employment department to conduct a study of merit compensation rates based on comparable worth, was taken up for consideration.

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. 645)

The ayes were, 92:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 3:

Grandia Handorf Maulsby

Absent or not voting, 5:

Baxter Clark Connors Pavich Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 644 and 645 and Senate File 461.

SENATE MESSAGES CONSIDERED

Senate File 542, by committee on appropriations, a bill for an act relating to a judge's membership in and contributions to the judicial retirement system.

Read first time and referred to committee on **appropriations.**

Senate File 544, by committee on ways and means, a bill for an act relating to fees charged to grain dealers and grain warehouse operators by the commerce commission under chapters 542 and 543.

Read first time and referred to committee on **ways and means.**

Senate File 546, by committee on appropriations, a bill for an act relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the federal fiscal year beginning October 1, 1982 and ending September 30, 1983.

Read first time and referred to committee on **appropriations.**

Senate File 547, by committee on ways and means, a bill for an act providing for the period in which to claim a refund for taxes paid on a lump sum distribution.

Read first time and referred to committee on **ways and means.**

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to committee notice and agenda, for committee meetings upon recess.

HOUSE RESOLUTION 12
By Baxter, Lloyd-Jones, Bennett, Fogarty, Doderer, Schnekloth and Chiodo

Whereas, it is desirable to have most of the state agencies located at the capitol complex; and

Whereas, the state does not presently have a general fund balance sufficient to finance the construction of a new state office building; *Now Therefore*,

Be It Resolved by the House of Representatives, That the legislative council is requested to authorize a study during the 1983 legislative interim to examine the feasibility and desirability of the state entering into an arrangement for the construction of a new state office building by private parties with a lease of the building to be held by the state.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 12:10 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, until her arrival, on request of Pellett of Cass; Copenhaver of Buchanan, for the remainder of the day, on request of Fey of Scott.

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 6, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 533, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Appropriations Calendar

Senate File 532, a bill for an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984, with report of committee recommending amendment and passage was taken up for consideration.

The House stood at ease at 1:25 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 532 at 2:08 p.m., Speaker Avenson in the chair.

Jochum of Dubuque offered amendment H–4003 filed by the committee on appropriations and requested division as follows:

H–4003

Amend Senate File 532 as amended, passed, and reprinted by the Senate, as follows:

H–4003A

1. Page 4, by striking lines 3 through 8.

H–4003B

2. Page 4, line 13, by striking the words "correspondence courses" and inserting in lieu thereof the words "at least correspondence courses, graduation equivalent diploma program, college night courses, adult basic education, and a reentry course".

H—4003C

3. Page 5, line 16, by striking the figure "14,130,000" and inserting in lieu thereof the figure "14,060,000".

4. Page 5, lines 20 and 21, by striking the words and figure "four hundred thousand (400,000)" and inserting in lieu thereof the words and figure "three hundred thirty thousand (330,000)".

5. Page 5, line 23, by striking the words and figure "one hundred fifty thousand (150,000)" and inserting in lieu thereof the words and figure "eighty thousand (80,000)".

H—4003D

6. Page 8, line 24, by striking the figure "48,370,000" and inserting in lieu thereof the figure "48,385,000".

H—4003A

7. Page 10, by striking lines 10 through 14.

8. By renumbering as necessary.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H—4042, to the committee amendment H—4003A, filed by him on May 5, 1983.

On motion by Jochum of Dubuque, the committee amendment H—4003A was adopted.

Spear of Lee offered the following amendment H—4071, to the committee amendment H—4003B, filed by him from the floor and moved its adoption:

H—4071

Amend H—4003 to Senate File 532 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 7, by striking the word "night".

Amendment H—4071 was adopted.

On motion by Jochum of Dubuque, the committee amendment H—4003B, as amended, was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw the committee amendment H—4003C.

Jochum of Dubuque asked and received unanimous consent to defer action on the committee amendment H—4003D.

Spear of Lee offered the following amendment H—4055 filed by him:

H—4055

Amend Senate File 532 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 19, by striking the figure "17,650,000" and inserting in lieu thereof the figure "17,646,000".

2. Page 3, line 30, by striking the figure "46,439,000" and inserting in lieu thereof the figure "46,427,000".

3. Page 6, line 2, by striking the figure "1,165,000" and inserting in lieu thereof the figure "1,161,500".

4. Page 7, line 20, by striking the figure "31,100,000" and inserting in lieu thereof the figure "31,087,000".

5. Page 8, line 24, by striking the figure "48,370,000" and inserting in lieu thereof the figure "48,351,000".

Spear of Lee offered the following amendment H—4061, to amendment H—4055, filed by him and moved its adoption:

H—4061

Amend amendment H—4055 to Senate File 532 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by striking line 8 and inserting in lieu thereof the figure "46,397,000"."

2. Page 1, by striking line 17 and inserting in lieu thereof the figure "48,366,000"."

Amendment H—4061 was adopted.

Doderer of Johnson in the chair at 2:34 p.m.

On motion by Spear of Lee, amendment H—4055, as amended, was adopted, placing out of order the committee amendment H—4003D.

Spear of Lee asked and received unanimous consent to withdraw amendment H—4032 filed by him on May 5, 1983.

Sherzan of Polk offered the following amendment H—3994 filed by him:

H—3994

Amend Senate File 532 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 6, by striking the words "seven hundred eighty" and inserting in lieu thereof the words "six hundred twenty".

2. Page 2, line 19, by striking the words "seven hundred eighty" and inserting in lieu thereof the words "five hundred ninety-five".

3. Page 3, line 13, by striking the words "seven hundred eighty" and inserting in lieu thereof the words "five hundred ninety-five".

4. Page 3, line 25, by inserting after the word "state" the words "which are the Iowa correctional institution for women, the Iowa state men's reformatory, the Iowa state penitentiary, the Iowa security and medical facility, the north central correctional facility, the Mount Pleasant correctional facility, the Clarinda correctional treatment facility, the correctional release center, and the rehabilitation camps".

Halvorson of Clayton asked and received unanimous consent to defer action on amendment H—4053, to amendment H—3994.

Halvorson of Clayton offered the following amendment H—4076, to amendment H—3994, filed by him from the floor and moved its adoption:

H—4076

Amend H—3994 to Senate File 532 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 5, by striking the word "twenty" and inserting in lieu thereof the word "forty-five".

2. Page 1, line 8, by striking the words "five hundred ninety-five" and inserting in lieu thereof the words "six hundred twenty".

3. Page 1, line 11, by striking the words "five hundred ninety-five" and inserting in lieu thereof the words "six hundred twenty".

Amendment H—4076 was adopted, placing out of order amendments H—4052 filed by Spear of Lee on May 5, 1983 and H—4053 filed by Halvorson of Clayton on May 5, 1983, both to amendment H—3994.

On motion by Sherzan of Polk, amendment H—3994, as amended, was adopted.

Maulsby of Calhoun offered the following amendment H—3990 filed by him and moved its adoption:

H—3990

Amend Senate File 532 as amended, passed, and reprinted by the Senate as follows:

1. Page 5, by inserting after line 14 the following:

"The department shall identify and recommend to the corrections and mental health appropriations subcommittee a prison industry to be established at the north central correctional facility."

A non-record roll call was requested.

The ayes were 37, nays 53.

Amendment H—3990 lost.

Halvorson of Clayton offered the following amendment H—4072 filed by him from the floor:

H—4072

Amend Senate File 532 as amended, passed, and reprinted by the Senate, as follows:

1. Page 12, by inserting after line 19 the following:

"Sec. . Section 247A.5, Code 1983, is amended to read as follows:

247A.5 HOUSING FACILITIES—HALF-WAY HOUSES. The department shall designate and adopt facilities in the institutions and camps under its jurisdiction for the housing of inmates granted work release privileges. In areas where facilities are not within reasonable proximity of the place of employment of an inmate so released, the department may contract with the proper authorities of political subdivisions

of the state or suitable public or private agencies for the quartering of the inmate in local housing facilities. The committee shall include as a specific term or condition in the work release plan of any inmate the place where the inmate is to be housed when not on the work assignment. ~~The committee shall not place an inmate on work release for longer than six months in any twelve-month period provided, however, that an inmate may be placed on work release for a period in excess of six months in any twelve-month period if unanimous approval is given by the committee.~~ Inmates may be temporarily released to the supervision of a responsible person to participate in family and selected community, religious, educational, social, civic and recreational activities when it is determined that the participation will directly facilitate the release transition from institution to community."

2. By renumbering as necessary.

Sherzan of Polk rose on a point of order that amendment H—4072 was not germane.

The Speaker ruled the point well taken and amendment H—4072 not germane.

Spear of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 532)

The ayes were, 96:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane

Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Madam Speaker (Doderer)

The nays were, none.

Absent or not voting, 4:

Baxter	Copenhaver	Pavich	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 532)

Norland of Worth asked and received unanimous consent to immediately message Senate File 532 to the Senate.

HOUSE FILE 646 DEFERRED

Norland of Worth asked and received unanimous consent that House File 646 be deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Zimmerman of Dallas, for the remainder of the day, on request of Carl of Poweshiek.

Ways and Means Calendar

Senate File 354, a bill for an act to eliminate the use of documentary stamps as evidence that the real estate transfer tax has been paid, with report of committee recommending passage was taken up for consideration.

Carpenter 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. 354)

The ayes were, 95:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	Davitt	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Madam Speaker (Doderer)	

The nays were, none.

Absent or not voting, 5:

Baxter	Copenhaver	Pavich	Sullivan
Zimmerman			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 314, a bill for an act relating to an exemption from the state sales, service, and use taxes for sales by trade shops to printers of lithographic-offset plates, photoengraved plates, engravings, negatives, color separations, typesetting, the end products of image modulation or any base materials used as carriers for light-sensitive emulsions, limiting the amount of refunds allowable under this act, and making it retroactive, with report of committee recommending passage was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H—4075 filed by him from the floor and moved its adoption:

H—4075

Amend Senate File 314, as passed by the Senate, as follows:

1. Page 1, by striking lines 13 through 27.

2. Amend the title by striking lines 6 through 8 and inserting in lieu thereof the words "used as carriers for light-sensitive emulsions."

Amendment H—4075 lost.

Speaker Avenson in the chair at 3:47 p.m.

Tabor of Jackson moved that the bill be read a last time 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. 314)

The ayes were, 91:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Mr. Speaker	

The nays were, 2:

Paulin Schroeder

Absent or not voting, 7:

Baxter	Copenhaver	Hanson	Krewson
Pavich	Sullivan	Zimmerman	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate Files 314 and 354)

Norland of Worth asked and received unanimous consent to immediately message Senate Files 314 and 354 to the Senate.

HOUSE FILE 633 DEFERRED

Norland of Worth asked and received unanimous consent that House File 633 be deferred and that the bill retain its place on the calendar.

Unfinished Business Calendar

The House resumed consideration of **Senate File 370,** a bill for an act relating to awards for punitive damages against officers and employees of governmental subdivisions, deferred and placed on the unfinished business calendar on April 14, 1983.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the following amendments:

H–3962 filed by Schroeder, et al., on April 29, 1983, placing out of order amendment H–3979 (to amendment H–3962) filed by Skow of Guthrie and Halvorson of Clayton on May 2, 1983.

H–3977 filed by Fogarty of Palo Alto and Schroeder of Pottawattamie on May 2, 1983.

H–3980 (to amendment H–3977) filed by Schroeder, et al., on May 2, 1983.

Shoultz of Black Hawk in the chair at 4:03 p.m.

Hummel of Benton offered the following amendment H–3840 filed by him and moved its adoption:

H–3840

Amend Senate File 370 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 10 through 12 and inserting in lieu thereof the following: "punitive damages."

Amendment H–3840 lost.

O'Kane 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. 370)

The ayes were, 91:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Mr. Speaker (Shoultz)	

The nays were, 3:

Handorf Hummel Poncy

Absent or not voting, 6:

Baxter Copenhaver Harbor Pavich
Sullivan Zimmerman

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:

Harbor of Mills, for the remainder of the day, on request of Halvorson of Clayton.

IMMEDIATE MESSAGE
(Senate File 370)

Norland of Worth asked and received unanimous consent to immediately message Senate File 370 to the Senate.

BILLS DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 448, Senate Joint Resolutions 6 and 9, and House File 508 be deferred and that the bills retain their place 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 May 6, 1983, adopted the conference committee report and passed Senate File 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties.

K. MARIE THAYER, Secretary

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE
(Senate File 495)

Jay of Appanoose called up for consideration the report of the

conference committee on Senate File 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, filed today:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 495

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the first conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 495, a bill for an act relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties, respectfully make the following report:

1. That the Senate recedes from its amendment, H—3953, to the House amendment, S—3658, to Senate File 495, as amended, passed and reprinted by the Senate.

2. That the House amendment, S—3658, to Senate File 495, as amended, passed and reprinted by the Senate, is amended to read as follows:

1. Page 1, by striking lines 10 through 16.

2. Page 1, by striking lines 17 through 36.

3. Page 1, by striking lines 37 through 39.

4. Page 2, by striking lines 16 through 18 and inserting in lieu thereof the following:

" . Page 12, line 5, by inserting before the word "for" the words "and a pay plan"."

5. Page 2, by striking lines 25 through 37, and inserting in lieu thereof the following:

" . Page 12, line 18, by striking the words "supreme court" and inserting in lieu thereof the words "state court administrator".

. Page 12, by inserting after line 20 the following:

"For purposes of chapter 20, certifications of employee organizations, which on July 1, 1983 represent employees who becomes court employees as a result of this Act, shall remain in effect when the employees become court employees and thereafter, unless a public employee files a petition under section 20.14, subsection 3, and the employee organization is decertified in an election held under section 20.15. However, collective bargaining negotiations shall be conducted by judicial district and the certified employee organizations which engage in bargaining shall negotiate by judicial district. The public employment relations board shall adopt rules pursuant to chapter 17A to implement this subsection." "

6. Page 2, by striking lines 41 and 42.

7. Page 3, by inserting after line 4 the following:

" . Page 14, lines 16 and 17, by striking the words "each of the first and second deputies" and inserting in lieu thereof the words "a deputy"."

8. Page 3, by striking lines 22 through 25.

9. Page 3, by striking lines 28 through 46.

10. Page 4, by striking lines 13 through 15 and inserting in lieu thereof the following: "the maximum amount established by the supreme court pursuant to section 602.1509."

11. Page 4, by striking lines 33 through 35 and inserting in lieu thereof the following: "established by the supreme court pursuant to section 602.1509."

12. Page 5, by striking lines 5 through 8.

13. Page 5, by inserting after line 8 the following:

" . Page 94, by striking line 27 and inserting in lieu thereof the following:

"bb. For issuing a marriage license, fifteen dollars. The clerk of the district court shall remit to the treasurer of state five dollars for each marriage license issued. The treasurer of state shall deposit the funds received in the general fund of the state. For"."

14. Page 5, line 17, by inserting after the figure "1" the words "on a semiannual basis".

15. Page 5, by striking line 32.

16. By striking page 9, line 47 through page 13, line 2.

17. By striking page 13, line 40 through page 14, line 3.

18. By striking page 16, line 20 through page 19, line 19.

19. Page 20, by inserting after line 17 the following:

" . Page 129, by striking lines 11, 12, and 13 and inserting in lieu thereof the following: "imposed in the district court, ~~which by law go into the county treasury for the benefit of the school fund~~; in what cause or proceeding, when".

. Page 138, by striking lines 2 and 3 and inserting in lieu thereof the following:

"2. The Code editor shall recodify chapters 605A and 610 as new and separate articles at the end of new chapter 602." "

20. Page 20, by striking lines 22 and 23.

21. Page 20, by inserting after line 23 the following:

" . Page 138, by inserting after line 10 the following:

"Sec. . CONFLICTING LEGISLATION. If both this Act and House File 562 are enacted by the Seventieth General Assembly and if House File 562, as enacted, deposits in the general fund of the state all amounts that would be received from a clerk of the district court under section 602.9106, subsection 3 of this Act, the following shall apply:

1. Amendments to sections 32.2; 99.30; 127.21; 127.22; 302.44; 331.509, subsection 1, paragraph o; 331.552, subsection 11; 508.15; 511.7; 515.93; 534.12, subsection 4; 535.5; 595.11; 644.15; and 666.3, Code 1983, and the repeal of sections 127.22, 302.3, and 302.24, Code 1983, contained in House File 562 shall prevail.

2. Section 602.9107 of this Act, the amendments to section 127.20, Code 1983, contained in this Act, and the amendment to section 602.55, Code 1983, contained in House File 562 are void.

3. Notwithstanding section 602.9106, subsection 3 of this Act, all amounts received under that subsection shall be deposited in the general fund of the state." "

22. Page 20, by striking lines 34 through 40 and inserting in lieu thereof the following:

"Sec. . COMPENSATION AND BENEFITS. Notwithstanding sections 10302, 10303, and 10305, a county employee who becomes a state employee as a result of this Act shall receive the compensation and other benefits provided to state employees, unless the employee, within the period of time beginning thirty days prior to the day when the employee becomes a state employee and ending thirty days after the employee becomes a state employee, files an election with the state court administrator to continue to receive the compensation and other benefits received by the employee immediately prior to becoming a state employee. If an employee files the election, the employee may at any time thereafter revoke the election and agree to receive the compensation and other benefits provided to state employees. The state court administrator shall reimburse counties for expenses incurred as a result of employee elections to continue to receive the compensation and other benefits which the employees received immediately prior to becoming state employees."

23. By striking page 21, line 40 through page 22, line 6.

ON THE PART OF THE HOUSE:

DANIEL JAY, Chair
RUHL MAULSBY
ANDREW McKEAN
EDWARD PARKER
TOM SWARTZ

ON THE PART OF THE SENATE:

TOM MANN, Jr., Chair
DONALD DOYLE
RICHARD DRAKE
WALLY HORN
DOUGLAS RITSEMA

The House stood at ease at 4:20 p.m., until the fall of the gavel.

The House resumed session and consideration of the report of the conference committee on Senate File 495 at 5:04 p.m., Speaker Avenson in the chair.

Jay of Appanoose moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested.

The ayes were 61, nays 25.

The motion prevailed and the report was adopted.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 495)

The ayes were, 63:

Arnould	Bennett	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Connolly
Connors	Corey	Diemer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Hammond	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Koenigs
Krewson	Lageschulte	Lonergan	McIntee
McKean	Miller	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Poncy	Renaud	Rosenberg
Schnekloth	Schroeder	Sherzan	Shoultz
Spear	Stromer	Sturgeon	Swartz
Tabor	Torrence	Van Camp	Van Gerpen
Varn	Woods	Mr. Speaker	

The nays were, 30:

Anderson	Black	Branstad	Cochran
Cooper	Daggett	Davitt	De Groot
Doderer	Grandia	Halvorson, R. N.	Handorf
Hummel	Knapp	Lloyd-Jones	Maulsby

Menke	Muhlbauer	Oxley	Peick
Pellett	Renken	Rensink	Royer
Running	Skow	Stueland	Swearingen
Van Maanen	Welden		

Absent or not voting, 7:

Baxter	Copenhaver	Harbor	Pavich
Sullivan	Tofte	Zimmerman	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Groth of Buena Vista called up for consideration **House File 562**, a bill for an act relating to funds available to school districts, amended by the Senate amendment H—4014:

H—4014

Amend House File 562, as amended, passed, and reprinted by the House, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 32.2, Code 1983, is amended to read as follows:

32.2 ACTIONS FOR PENALTY. ~~Such~~ The action or suit may be brought by and in the name of the state, on the relation of ~~any~~ a citizen ~~thereof~~ of the state, and ~~such~~ the penalty, when collected, less the reasonable cost and expense of action or suit and recovery, to be certified by the clerk of the district court of the county in which the offense is committed, shall be paid ~~into the county treasury for the benefit of the school fund~~ to the treasurer of state for deposit in the general fund of the state, and two or more penalties may be sued for and recovered in the same action or suit.

Sec. 2. Section 99.30, Code 1983, is amended to read as follows:

99.30 APPLICATION OF TAX. The ~~said~~ tax collected shall be applied ~~in payment of any~~ toward the deficiency in the payment of costs of the action and abatement ~~on behalf of the state to the extent of such deficiency~~ which exist after the application ~~thereto~~ of the proceeds of the sale of personal property ~~as hereinbefore provided, and the.~~ The remainder of ~~said~~ the tax together with the unexpended

portion of the proceeds of the sale of personal property shall be ~~distributed to the temporary school fund of the county~~ paid to the treasurer of state for deposit in the general fund of the state, except that ten percent of the amount of the whole tax collected and of the whole proceeds of the sale of ~~said~~ the personal property, as provided in this chapter, shall be paid by the treasurer to the attorney representing the state in the injunction action, at the time of final judgment.

Sec. 3. Section 127.21, Code 1983, is amended to read as follows:

127.21 ~~SCHOOL FUND~~ PROCEEDS. Any balance of ~~said~~ the proceeds shall be paid by the sheriff to the ~~county treasurer who shall credit the same to the county school fund~~ treasurer of state for deposit in the general fund of the state.

Sec. 4. Section 279.33, Code 1983, is amended to read as follows:

279.33 ANNUAL SETTLEMENTS. At a regular or special meeting held ~~in July prior to or on July~~ not later than August 15, the board of each school corporation

Page 2

shall meet, examine the books of and settle with the secretary and treasurer for the year ending on the ~~thirtieth day of~~ preceding June ~~preceding~~ 30, and transact ~~such~~ other business as ~~may properly come before it~~ necessary. The treasurer at the time of ~~such~~ settlement shall furnish the board with a sworn statement from each depository showing the balance then on deposit in ~~such~~ the depository. ~~Should~~ If the secretary or treasurer fail to make proper reports for ~~such~~ the settlement, the board shall take action to ~~secure the same~~ obtain the balance information.

Sec. 5. Section 279.34, Code 1983, is amended to read as follows:

279.34 FINANCIAL STATEMENT—PUBLICATION. In each school district, the board shall, during the second week of ~~July~~ August of each year, publish by one insertion in at least one newspaper, if there is a newspaper published in ~~said~~ the district, a summarized statement verified by affidavit of the secretary of the board showing the receipts and disbursements of all funds for the preceding school year. In all ~~such~~ districts of more than one hundred twenty-five thousand population, the statement of disbursements is to show the names of the persons, firms, or corporations, and the total amount paid to each during the school year.

Sec. 6. Section 279.35, Code 1983, is amended to read as follows:

279.35 OTHER DISTRICTS—FILING STATEMENT. In every school district ~~wherein~~ in which no newspaper is published, the president and secretary of the board of directors ~~thereof~~ shall file the ~~above~~ statement required in section 279.34 with the area education agency administrator during the second week of ~~July~~ August of each year and shall post copies ~~thereof~~ of the statement in three conspicuous places in the district.

Sec. 7. Section 279.38, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Boards of directors of school corporations may pay, out of funds available to them, reasonable annual dues to ~~an~~ the Iowa association of school boards. The financial condition and transactions of the Iowa association of school boards shall be audited in the same manner as school corporations as provided in section 11.18. In addition, annually the Iowa association of school boards shall publish a listing of the school districts and the annual dues paid by each and shall publish an accounting of all moneys expended for expenses incurred by and salaries paid

Page 3

to legislative representatives and lobbyists of the association.

Sec. 8. NEW SECTION. 297.33 LOAN AGREEMENTS. In order to make immediately available proceeds of the schoolhouse tax which has been approved by the voters as provided in section 278.1, subsection 7, the board of directors may, with or without notice, borrow money and enter into loan agreements in anticipation of the collection of the tax with a bank, investment banker, trust company, insurance company, or insurance group.

By resolution, the board shall provide for an annual levy which is within the limits of the tax approved by the voters to pay for the amount of the principal and interest due each year until maturity. The board shall file a certified copy of the resolution with the auditor of each county in which the district is located. The filing of the resolution with the auditor shall make it the duty of the auditor to annually levy the amount certified for collection until funds are realized to repay the loan and interest on the loan in full.

The loan must mature within the period of time authorized by the voters and shall bear interest at

a rate which does not exceed the limits provided under chapter 74A. A loan agreement entered into pursuant to this section shall be in a form as the board of directors shall by resolution provide and the loan shall be payable as to both principal and interest from the proceeds of the annual levy of the voted tax pursuant to section 278.1, subsection 7, or so much thereof as will be sufficient to pay the loan and interest on the loan.

The proceeds of a loan must be deposited in a fund which is separate from other district funds. Warrants paid from this fund must be for purposes authorized by the voters as provided in section 278.1, subsection 7.

This section does not limit the authority of the board of directors to levy the full amount of the voted tax, but if and to whatever extent the tax is levied in any year in excess of the amount of principal and interest falling due in that year under a loan agreement, the first available proceeds, to an amount sufficient to meet maturing installments of principal and interest under the loan agreement, shall be paid into the sinking fund for the loan before the taxes are otherwise made available to the school corporation for other school purposes, and the amount required to be annually set aside to pay principal of and

Page 4

interest on the money borrowed under the loan agreement shall constitute a first charge upon the proceeds of the special voted tax, which tax shall be pledged to pay the loan and the interest on the loan.

This section is supplemental and in addition to existing statutory authority to finance the purposes specified in section 278.1, subsection 7, and for the borrowing of money and execution of loan agreements in connection with that section and subsection, and is not subject to any other law. The fact that a school corporation may have previously borrowed money and entered into loan agreements under authority of this section does not prevent the school corporation from borrowing additional money and entering into further loan agreements if the aggregate of the amount payable under all of the loan agreements does not exceed the proceeds of the voted tax.

Sec. 9. Section 302.4, Code 1983, is amended to read as follows:

302.4 DIVISION AND APPRAISEMENT. The board of supervisors may, ~~at such time as it may fix, and~~ as preliminary to a sale, authorize the trustees of ~~any~~

a township, where the sixteenth section or land selected in lieu ~~thereof~~ of the sixteenth section has not been sold, to lay out the ~~same~~ section into ~~such~~ tracts as in their judgment will be for the best interests of the permanent school fund, conforming, as far as the interests of ~~said~~ the fund will permit, to the legal subdivisions of the United States surveys, and appraise each tract at what they believe to be its true value, and certify to ~~said~~ the board the divisions and appraisements made by them. ~~Said~~ The division and appraisement shall be approved or disapproved by ~~said~~ the board at its first meeting after ~~such~~ the report, and in case it disapproves ~~the same~~, it may at once order another division and appraisement. If the board of supervisors approves, the county auditor shall make and keep a record of ~~such~~ the division, appraisement, and approval; but ~~no~~ school lands ~~of any kind~~ shall not be sold for less than the appraised value per acre, except as ~~hereinafter~~ provided; ~~nor shall any~~. A member of the board of supervisors, county auditor, township trustee, or ~~any~~ a person who was engaged in the division and appraisement of ~~said~~ the land, shall not be directly or indirectly interested in the purchase ~~thereof~~ of the land; and any sale made, where ~~such~~ the parties ~~or any of them are so interested~~ have an interest in the land, shall be void.

Sec. 10. Section 302.6, Code 1983, is amended

Page 5

to read as follows:

302.6 SALE WITHOUT APPRAISEMENT. When the county board of supervisors ~~of any county~~ has once offered for sale ~~any~~ school lands held under section 302.1 in compliance with the requirements of this chapter, and they remain unsold, and it is unable to obtain ~~therefor~~ the appraised value ~~thereof~~ of the lands, and in the opinion of ~~said~~ the board, it is for the best interests of the permanent school fund that the ~~same~~ lands be sold for a less price, it may instruct the auditor to transmit to the secretary of state a certified copy of its proceedings in relation to the order of sale ~~thereof~~ of the land and subsequent proceedings in relation ~~thereto~~ to the sale, including the action of the township trustees, and the price per acre at which the land had been appraised, ~~which transcript the~~. The secretary of state shall submit the transcript of the proceedings to the executive council; and if it approves of a sale at a less sum, it shall certify ~~such~~ the approval to the auditor

of the county from which ~~said~~ the transcript came~~,~~ ~~which~~. The certificate shall be ~~transcribed~~ recorded in the minute book of the board of supervisors, and ~~thereupon said~~ the land may again be offered and sold to the highest bidder without again being appraised, after notice given as in case of sales in the first instance~~, without being again appraised~~.

Sec. 11. Section 302.8, Code 1983, is amended to read as follows:

302.8 SALE OF LANDS BID IN. When lands have been sold and bid in by the state in behalf of the permanent school fund upon a judgment in favor of ~~such~~ the fund, the land may be sold in ~~like~~ the same manner as other school lands, and when lands have been conveyed to the counties in which they are situated for the use of the permanent school fund, instead of to the state, ~~such~~ the conveyance ~~shall be~~ is valid and binding, and upon proper certificates of sales patents shall issue in ~~like~~ the same manner as ~~in cases where~~ if the conveyances ~~were~~ had been properly made to the state.

Sec. 12. Section 302.9, Code 1983, is amended to read as follows:

302.9 CASH OR COLLATERAL SECURITY. When, in the judgment of the board of supervisors, ~~any~~ school lands held under section 302.1 are of such a character that a sale upon partial credit would be unsafe or incompatible with the interest of the permanent school fund, and especially in the case of timbered lands, the board of supervisors may ~~in its discretion exact~~

Page 6

~~the whole of~~ require the entire purchase money in advance; or if ~~it~~ the board sells ~~such~~ the land upon a partial credit, ~~as hereinbefore prescribed~~, it shall require good collateral security for the payment of the part upon which credit is given.

Sec. 13. Section 302.10, Code 1983, is amended to read as follows:

302.10 UNIFORM INTEREST DATE. ~~In all cases where~~ If money is due to the permanent school fund, either for loans or deferred payments of the purchase price of land sold, the interest shall be made payable on the first day of January each year, and if the debtor fails to pay the interest within six months ~~thereafter~~ of the date it is due, the entire amount of both principal and interest shall become due, and the county auditor shall ~~make a~~ report ~~thereof~~ the nonpayment to the county attorney, who shall immediately commence action for the collection of

the amount reported ~~to him~~ as due~~, and this~~. This section is ~~hereby declared to be~~ a part of ~~any~~ a contract made by virtue of this chapter, whether expressed ~~therein~~ in the contract or not.

Sec. 14. Section 302.11, Code 1983, is amended to read as follows:

302.11 SCHOOL FUND ACCOUNTS—AUDIT OF LOSSES. The state comptroller shall keep the permanent school fund accounts in books provided for that purpose, separate and distinct from the revenue books. The auditor of state shall audit ~~all~~ losses to the permanent school or university fund ~~which shall have been occasioned~~ caused by the defalcation, mismanagement, or fraud of the agents or officers controlling and managing ~~the same, and for this purpose~~ the fund. The auditor of state shall ~~prescribe such regulations~~ adopt rules for those officers as ~~may be~~ necessary to ascertain ~~such~~ the losses.

Sec. 15. Section 302.15, Code 1983, is amended to read as follows:

302.15 MANAGEMENT. ~~All property~~ Property and money ~~hereafter~~ accrued to the permanent school fund shall be managed and controlled by the ~~state~~ treasurer of state, and ~~he shall be~~ the treasurer of state is responsible for the safekeeping, investment, reinvestment and disbursement of the ~~same~~ property and money.

Sec. 16. Section 302.16, Code 1983, is amended to read as follows:

302.16 ACTIONS. ~~All actions~~ Actions for and in behalf of ~~said~~ the fund may be brought in the name of the state for the use of the permanent school fund,

Page 7

by the attorney general.

Sec. 17. Section 302.17, Code 1983, is amended to read as follows:

302.17 LIABILITY OF COUNTY. Each county ~~shall be~~ is liable for ~~all~~ losses upon loans of the permanent school fund, principal or interest, made in ~~such~~ the county, unless the loss was not occasioned by reason of ~~any~~ a default of its officers or by taking insufficient or imperfect securities, or from a failure to bid at an execution sale the full amount of the judgment and costs.

Sec. 18. Section 302.19, Code 1983, is amended to read as follows:

302.19 LOANS. The permanent school fund shall be loaned out or invested by the ~~state~~ treasurer of state as it comes into ~~his~~ the treasurer's hands.

Sec. 19. Section 302.28, Code 1983, is amended to read as follows:

302.28 STATUTE OF LIMITATION. Lapse of time ~~shall in no case be~~ is not a bar to ~~any~~ action to recover ~~any~~ a part of the permanent school fund, ~~nor shall~~ and it does not prevent the introduction of evidence in ~~such~~ an action, except as provided in sections 614.29 to 614.38.

Sec. 20. Section 302.29, Code 1983, is amended to read as follows:

302.29 PAYMENTS. ~~All payments~~ Payments to the permanent school fund upon contracts, or loans of ~~any other~~ another nature, shall be made to the treasurer of the county upon a certificate from the auditor showing the amount due.

Sec. 21. Section 302.31, Code 1983, is amended to read as follows:

302.31 SCHOOL FUND ACCOUNT—SETTLEMENT. The auditor shall also keep ~~in his office~~, in books to be provided for that purpose, an account to be known as the permanent school fund account, in which a memorandum of ~~all~~ the notes, mortgages, bonds, money, and assets ~~of every kind and description~~ which may come into ~~his~~ the auditor's hands and those of the treasurer shall be entered, and separate accounts of principal and interest be kept; ~~and the~~. The county treasurer shall also keep ~~a like~~ an account and record of all school funds coming into ~~his~~ the county treasurer's hands. Settlements of ~~such~~ the account shall be made with the board of supervisors at its January and June sessions, ~~which~~ and the settlements shall be recorded with the proceedings of the board.

Sec. 22. Section 302.32, Code 1983, is amended

Page 8

to read as follows:

302.32 NOTICE OF DEFAULT. When outstanding contracts for the sale of school lands or notes for money of the permanent school fund loaned, or interest ~~thereon~~ on the permanent school fund, are due, the auditor shall by mail at once notify the debtor to make payment ~~thereof~~ within three months.

Sec. 23. Section 302.34, Code 1983, is amended to read as follows:

302.34 BID AT EXECUTION SALE. Upon a sale of lands under an execution founded upon a permanent school fund claim or right, the auditor shall bid ~~such~~ a sum ~~as~~ required by the interests of the fund ~~require~~, and, if struck off to the state, it shall

be thereafter treated ~~in all respects~~ the same as other lands belonging to ~~said~~ the fund.

Sec. 24. Section 302.35, Code 1983, is amended to read as follows:

302.35 SHERIFF'S DEED TO STATE. When lands have been bid in by the county for the state under foreclosure of permanent school fund mortgages and the time for redemption has expired, a sheriff's deed shall be issued to the state for the use and benefit of the permanent school fund. The county auditor shall file the ~~said~~ deed for record in the office of the county recorder who shall record the ~~same~~ deed without fee and return ~~the same~~ it when recorded to the county auditor who shall then forward ~~the same~~ it to the secretary of state. The secretary of state shall record the ~~said~~ deed ~~in his records~~ and then file ~~the same~~ it with the state comptroller.

Sec. 25. Section 302.38, Code 1983, is amended to read as follows:

302.38 EXCESS—LOSS BORNE BY COUNTY. ~~Any~~ An excess over the amount of the unpaid portion of the principal, costs of foreclosure, and interest on the principal ~~as above provided~~, shall inure to the county and be credited to the general county fund. If the lands ~~shall be~~ are sold for a less amount than the unpaid portion of the principal, the loss shall be sustained by the county, and the board of supervisors shall at once order the amount of ~~such~~ the loss transferred from the general fund ~~or temporary school fund~~ of the county to the permanent school fund account.

Sec. 26. Section 302.39, Code 1983, is amended to read as follows:

302.39 REPORT AS TO SALES—INTEREST. County auditors shall report, on or before ~~the first day of~~ January 1 of each year, ~~report~~ to the state

Page 9

comptroller the amount of ~~all~~ the sales and resales made during the ~~year~~ previous year, of the sixteenth section, five-hundred-thousand-acre grant, escheat estates, and lands taken under foreclosure of permanent school fund mortgages, and the state comptroller shall charge ~~the same~~ them to the counties with interest from the date of such sale or resale to January 1, at the rate of three percent per annum.

Sec. 27. Section 302.42, Code 1983, is amended to read as follows:

302.42 REPORT AS TO RENTS. ~~County~~ By January 1 of each year, county auditors shall, ~~upon the first~~

day of January of each year, report to the state comptroller the amount of rents collected during the preceding year on unsold school lands and lands taken under foreclosure of permanent school fund mortgages then in the hands of the county treasurer, and the state comptroller shall include the amount so reported in his the semiannual apportionment of interest.

Sec. 28. Section 302.44, Code 1983, is amended to read as follows:

302.44 PENALTY AGAINST COUNTY AUDITOR. Any A county auditor failing or neglecting to perform any of the required duties which are required of him by the provisions of under this chapter, shall be is liable to a penalty of not less than one hundred nor more than five hundred dollars, to be recovered in an action brought in the district court by the board of supervisors, the. The judgment to shall be entered against the party and his the party's bondsmen, and the proceeds to go to the school fund shall be paid to the treasurer of state for deposit in the general fund of the state.

Sec. 29. Section 331.502, subsection 50, Code 1983, is amended to read as follows:

50. In the case of For payment of a permanent school fund mortgage, acknowledge satisfaction of the mortgage by execution of a written instrument referring to the mortgage as provided in section 655.1.

Sec. 30. Section 331.509, subsection 1, paragraph o, Code 1983, is amended to read as follows:

o. The reports of magistrates and other officers, including forfeited recognizances in their offices, fines, penalties, forfeitures imposed in their respective courts, and forfeited appearance bonds in criminal cases, all of which are payable to the county treasury for the benefit of the school fund treasurer of state to be deposited in the general fund of the state.

Page 10

Sec. 31. Section 331.552, subsection 11, Code 1983, is amended by striking the subsection.

Sec. 32. Section 331.552, subsection 20, Code 1983, is amended to read as follows:

20. Maintain a permanent school fund account and records of school funds received as provided in section 302.31.

Sec. 33. Section 360.3, Code 1983, is amended to read as follows:

360.3 TRANSFER OF FUND. When there are funds

in the hands of ~~any~~ a township clerk, raised under ~~the provisions of~~ this chapter which are not desired for the purposes for which they were raised, the funds may be transferred to the ~~school~~ general fund of ~~any~~ a school district or districts pro rata ~~wherein same was~~ in which the funds were raised, when a petition is presented to the trustees, signed by a majority of the qualified electors of ~~said~~ the township, as shown by the election register or registers of the last preceding primary or general election held in ~~said~~ the township~~, said~~. The transfer of funds ~~to~~ shall be made by the township clerk upon order of the trustees after the filing of ~~said~~ the petition with ~~said~~ the clerk.

Sec. 34. Section 442.3, Code 1983, is amended to read as follows:

442.3 STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. ~~For~~ Except as otherwise provided in this section, for each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. However, for the school years beginning July 1, 1980, July 1, 1981, and July 1, 1982, the state foundation base shall be the same as the state foundation base for the school year beginning July 1, 1979. For the school year beginning July 1, 1984, the state foundation base is eighty percent of the state cost per pupil if the estimate of the ending fund balance of the state general fund for the fiscal year beginning July 1, 1984 and ending June 30, 1985, as estimated by the state comptroller in January, 1984, is equal to or greater than thirty million dollars. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 35. Section 442.4, Code 1983, is amended

Page 11

by adding the following new subsection after subsection 3.

NEW SUBSECTION. 3A. For the school year beginning July 1, 1984 and each subsequent school year, if a school district's basic enrollment for the budget year is larger than its budget enrollment for the budget year, the district shall use its basic enrollment for the budget year in lieu of its budget

enrollment for the budget year for computations required in this chapter.

Sec. 36. Section 442.4, subsection 4, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

4. For the school year beginning July 1, 1984 and each succeeding school year, if an amount equal to the district cost per pupil for the budget year minus the amount included in the district cost per pupil for the budget year to compensate for the cost of special education support services for a school district for the budget year times the budget enrollment of the school district for the budget year is less than one hundred two percent times an amount equal to the district cost per pupil for the base year minus the amount included in the district cost per pupil for the base year to compensate for the cost of special education support services for a school district for the base year times the budget enrollment for the school district for the base year, the state comptroller shall increase the budget enrollment for the school district for the budget year to a number which will provide that one hundred two percent amount.

Sec. 37. Section 442.7, subsection 5, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

5. Notwithstanding subsections 1 through 4, for the school year beginning July 1, 1984, if the estimate of the ending fund balance of the state general fund for the fiscal year beginning July 1, 1984 and ending June 30, 1985, as estimated by the state comptroller in January, 1984, is equal to or greater than thirty million dollars and the state foundation base increases to eighty percent pursuant to section 442.3, the state percent of growth, including the recomputations required under subsection 4, is six percent.

Sec. 38. Section 442.7, subsection 7, Code 1983, is amended by adding the following new paragraph:

NEW PARAGRAPH. For the budget school year beginning July 1, 1984, by adding to the basic allowable growth per pupil for the budget year an amount not to exceed

Page 12

the amount of moneys received by a school district under section 302.3 during the school year beginning July 1, 1982 and ending June 30, 1983, as certified by the board of directors to the state comptroller.

Sec. 39. Section 442.9, subsection 1, paragraph a, Code 1983, is amended to read as follows:

a. As used in this chapter, "district cost per pupil" for the school year beginning July 1, 1975, and subsequent school years means district cost per pupil in weighted enrollment. The district cost per pupil for the budget year is equal to the district cost per pupil for the base year plus the allowable growth. However, district cost per pupil does not include additional allowable growth added for programs for gifted and talented children and for programs for returning dropouts under this chapter and does not include additional allowable growth established by the school budget review committee for a single school year only.

Sec. 40. Section 442.26, unnumbered paragraph 2, Code 1983, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

All state aids paid under this chapter, unless otherwise stated, shall be paid in monthly installments beginning on September 15 of a budget year and ending on June 15 of the budget year and the installments shall be as nearly equal as possible as determined by the state comptroller, taking into consideration the relative budget and cash position of the state resources. However, the state aids paid to school districts under section 442.28 shall be paid in monthly installments beginning on December 15 and ending on June 15 of a budget year and state aids paid to school districts under section 442.38 shall be paid in monthly installments beginning on February 15 and ending on June 15 of a budget year.

Sec. 41. Section 442.39, unnumbered paragraph 1, Code 1983, is amended to read as follows:

In order to provide additional funds for school districts which send their resident pupils to another school district or to an area school for classes, which jointly employ and share the services of teachers under section 280.15, or which use the services of a teacher employed by another school district, a supplementary weighting plan for determining enrollment is adopted as follows:

Sec. 42. Section 442.39, subsection 2, Code 1983, is amended to read as follows:

2. Pupils attending classes in another school district or an area school, attending classes taught

Page 13

by a teacher who is employed jointly under section 280.15, or attending classes taught by a teacher who is employed by another school district, are assigned a weighting of one plus one-tenth times the percent

of the pupil's school day during which the pupil attends classes in another district or area school, attends classes taught by a teacher who is jointly employed under section 280.15, or attends classes taught by a teacher who is employed by another school district.

Sec. 43. NEW SECTION. 442.45 PROGRAMS FOR RETURNING DROPOUTS. For the school year beginning July 1, 1984 and succeeding school years, boards of school districts, individually or jointly with boards of other school districts, requesting to use additional allowable growth for programs for returning dropouts, may annually submit comprehensive program plans for the programs and budget costs, including requests for additional allowable growth for funding the programs, to the department of public instruction as provided in this chapter. In addition to the requirements for program plans listed in section 442.32, the program plans shall include:

1. A provision for dropout prevention and integration of dropouts into the educational program of the district.

2. A provision for identifying dropouts.

3. A program for returning dropouts.

Program plans for dropouts shall identify the parts of the plan that will be implemented first upon approval of the application. If a district is requesting to use additional allowable growth to finance the program, it shall not identify more than five percent of its budget enrollment for the budget year as returning dropouts.

Sec. 44. NEW SECTION. 442.46 DEFINED. "Returning dropouts" are resident pupils who have been enrolled in a public or nonpublic school in any of grades seven through twelve who withdrew from school for a reason other than transfer to another school or school district and who subsequently enrolled in public school in the district.

Sec. 45. NEW SECTION. 442.47 PLANS FOR RETURNING DROPOUTS. The board of directors of a school district requesting to use additional allowable growth for programs for returning dropouts shall submit applications for approval for the programs to the department not later than November 1 preceding the fiscal year during which the program will be offered. The department shall review the program plans and

shall prior to January 15 either grant approval for the program or return the request for approval with

comments of the department included. An unapproved request for a program may be resubmitted with modifications to the department not later than February 1. Not later than February 15, the department shall notify the state comptroller and the school budget review committee of the names of the school districts for which the programs using additional allowable growth for funding have been approved and the approved budget of each program listed separately for each school district having an approved program.

Sec. 46. NEW SECTION. 442.48 FUNDING FOR PROGRAMS FOR RETURNING DROPOUTS. The budget of an approved program for returning dropouts for a school district, after subtracting funds received from other sources for that purpose, shall be funded annually on a basis of one-fourth or more from the district cost of the school district and up to three-fourths by an increase in allowable growth as defined in section 442.7. Annually, the state comptroller shall establish a modified allowable growth for each such district equal to the difference between the approved budget for the program for returning dropouts for that district and the sum of the amount funded from the district cost of the school district plus funds received from other sources.

Sec. 47. Section 508.15, Code 1983, is amended to read as follows:

508.15 VIOLATION BY FOREIGN COMPANY. Companies organized and chartered by the laws of a foreign state or country, failing to file the evidence of investment and statement within the time fixed, shall forfeit and pay the sum of three hundred dollars, to be collected in an action in the name of the state ~~for the use of the school fund~~ and paid to the treasurer of state for deposit in the general fund of the state, and their right to transact further new business in this state shall immediately cease until the requirements of this chapter have been fully complied with.

Sec. 48. Section 511.7, Code 1983, is amended to read as follows:

511.7 RECOVERY OF PENALTIES. Actions brought to recover any of the penalties provided for in this chapter shall be instituted in the name of the state by the county attorney of the county, under the direction and authority of the commissioner of insurance, and may be brought in the district court of any county in which the company or association

Page 15

proceeded against is engaged in the transaction of business, or in which the offending person resides, if it is against ~~him~~ the person. The penalties, when recovered, shall be paid ~~into the state treasury for the use of the school fund~~ to the treasurer of state for deposit in the general fund of the state.

Sec. 49. Section 515.93, Code 1983, is amended to read as follows:

515.93 VIOLATIONS. ~~Any~~ A violation of ~~the provisions of~~ sections 515.91 and 515.92 shall for the first offense subject the company, association, or individual guilty thereof to a penalty of five hundred dollars, to be recovered in the name of the state, with costs, in an action instituted by the county attorney, either in the county in which the company, association, or individual is located or transacts business, or in the county where the offense is committed, and ~~such~~ the penalty, when recovered, shall be paid ~~into the school fund of the county in which action is brought~~ to the treasurer of state for deposit in the general fund of the state. Every subsequent violation of ~~said~~ the sections ~~shall subject~~ subjects the company, association, or individual to a penalty of one thousand dollars, to be sued for, recovered, and disposed of in like manner.

Sec. 50. Section 534.12, subsection 4, Code 1983, is amended to read as follows:

4. REDEMPTION. ~~At any time~~ When funds are on hand for the purpose, the association ~~shall have the right to~~ may redeem by lot or otherwise, as the board of directors ~~may determine~~ determines, all or any part of any of its savings accounts on a dividend date by giving thirty days' notice by registered mail addressed to the account holders at their last addresses recorded on the books of the association. An association shall not redeem ~~any of~~ its share accounts when the association is in an impaired condition or when it has applications for withdrawal which have been on file more than thirty days and have not been reached for payment. The redemption price of a savings account shall be the full value of the account redeemed, as determined by the board of directors, but ~~in no event shall~~ the redemption value shall not be less than the withdrawal value. If the notice of redemption has been given, and if on or before the redemption date the funds necessary for the redemption have been set aside ~~so as to be and continue to be available~~ for redemptions, dividends upon the accounts called for redemption shall cease to accrue from and after the dividend date specified

Page 16

as the redemption date, and ~~all~~ rights with respect to those accounts ~~shall~~ terminate as of the redemption date, subject only to the right of the account holder of record to receive the redemption value without interest. ~~All savings~~ Savings accounts which have been validly called for redemption must be tendered for payment within ten years from the date of redemption designated in the redemption notice, or they shall be canceled and ~~forfeited for the use of the school fund of the county in which the association has its principal place of business~~ paid to the treasurer of state for deposit in the general fund of the state and all claims of the account holders against the association ~~shall be~~ are barred forever. Redemption shall not be made of any savings accounts which are held by a person who is a director and which are necessary to qualify the person to act as director.

Sec. 51. Section 535.5, Code 1983, is amended to read as follows:

535.5 PENALTY FOR USURY. If it ~~shall be~~ is ascertained in ~~any~~ an action brought on ~~any~~ a contract that a rate of interest has been contracted for, directly or indirectly, in money or in property, greater than is authorized by this chapter, the ~~same~~ rate shall work a forfeiture of eight cents on the hundred by the year upon the amount of the principal remaining unpaid upon ~~such~~ the contract at the time judgment is rendered ~~thereon~~, and the court shall enter final judgment in favor of the plaintiff and against the defendant for the principal sum ~~so~~ remaining unpaid without costs, and also against the defendant and in favor of the state, ~~for the use of the school fund of the county in which the action is brought~~ to be paid to the treasurer of state for deposit in the general fund of the state, for the amount of the forfeiture~~; and in no case where~~. If unlawful interest is contracted for ~~shall~~ the plaintiff shall not have judgment for more than the principal sum, whether the unlawful interest ~~be~~ is incorporated with the principal or not.

Sec. 52. Section 586.1, subsection 4, Code 1983, is amended to read as follows:

4. Acknowledgments of deeds, mortgages, permanent school fund mortgages and contracts taken and certified before 1970 by any county auditor, deputy county auditor, or deputy clerk of the district court although such officer was not authorized to take ~~such~~ the acknowledgments at the time they were taken.

Sec. 53. Section 595.11, Code 1983, is amended to read as follows:

Page 17

595.11 NONSTATUTORY SOLEMNIZATION—FORFEITURE.
Marriages solemnized, with the consent of parties, ~~in~~ any ~~other~~ manner other than ~~as herein~~ that prescribed in this chapter, are valid; but the parties ~~thereto~~, and all persons aiding or abetting them, shall ~~forfeit to the school~~ pay to the treasurer of state for deposit in the general fund of the state the sum of fifty dollars each; but this shall not apply to the person conducting the marriage ceremony, if within fifteen days thereafter ~~he~~ the person makes the required return to the clerk of the district court.

Sec. 54. Section 602.55, Code 1983, is amended to read as follows:

602.55 FUNDS, REPORTS. Each month each judicial magistrate and district associate judge shall file with the clerk of the district court of the proper county a sworn, itemized statement of all cases disposed of and all funds received and disbursed per case, and at least monthly shall remit to the clerk all funds received. The clerk shall provide adequate clerical assistance to judicial magistrates and district associate judges to carry out this section. The clerk shall remit ninety percent of all fines and forfeited bail received from a magistrate or district associate judge to the city that was the plaintiff in any action, shall remit to the city ninety percent of all fines and forfeited bail received for improper use of handicapped parking spaces in violation of section 601E.6, subsection 2, when the violations occurred within the city, shall remit all fines and forfeited bail received from a magistrate or district associate judge for violation of a county ordinance except an ordinance relating to vehicle speed or weight restrictions, to the county treasurer of the county that was the plaintiff in any action for deposit in the general fund of the county, and shall provide that city or county with a statement showing the total number of the cases, the total of all fines and forfeited bail collected and the total of all cases dismissed. However, if a county ordinance provides a penalty for a violation which is also penalized under state law, all fines and forfeited bail collected for the violation of that ordinance shall be ~~deposited~~ paid to the treasurer of state for deposit in the ~~school~~ general fund of the state. The clerk shall remit the remaining ten percent of city fines and forfeited bail to the county treasurer for deposit in the county general fund. The clerk shall remit to the treasurer of ~~the county~~ state,

Page 18

for ~~the benefit of the school~~ deposit in the general fund of the state, all other fines and forfeited bail received from a magistrate. All fees and costs for the filing of a complaint or information or upon forfeiture of bail received from a magistrate shall be remitted monthly by the clerk as follows:

1. One-half to the treasurer of state to be credited to the general fund of the state.

2. One-third to the county treasurer to be credited to the general fund of the county.

3. One-sixth to the treasurer of state to be credited to the judicial retirement fund created in section 605A.4.

Sec. 55. Section 633.545, Code 1983, is amended to read as follows:

633.545 SALE—PROCEEDS. If within six months from the giving of ~~such~~ notice, ~~no~~ a claimant ~~thereof appears, such~~ does not appear, the property may be sold and the proceeds paid over by the personal representative to the state comptroller for the benefit of the permanent school fund.

Sec. 56. Section 644.15, Code 1983, is amended to read as follows:

644.15 PROCEEDS—FORFEITURE. The net proceeds of ~~all~~ sales made by the sheriff, and ~~all~~ money or bank notes paid over to the county treasurer, as directed in this chapter, shall remain in the hands of the county treasurer in trust for the owner, if ~~any such shall apply~~ the owner applies within one year from the time the ~~same shall~~ proceeds, moneys, or bank notes would have been paid over; ~~but,~~. However, if no owner ~~shall appear~~ appears within ~~such~~ that time, the ~~money~~ proceeds, moneys, or bank notes shall be forfeited, and the claim of the owner ~~thereto~~ is forever barred, in which event the money shall ~~remain in the county treasury for the use of the common schools in said county~~ be paid to the treasurer of state for deposit in the general fund of the state.

Sec. 57. Section 666.3, Code 1983, is amended to read as follows:

666.3 FINES AND FORFEITURES. ~~All fines~~ Fines and forfeitures, after deducting ~~therefrom~~ court costs, court expenses collectible through the clerk of the court, and fees of collection, if any, and not otherwise disposed of, shall ~~go into the treasury of the county where the same are collected for the benefit of the school fund~~ be paid to the treasurer of state for deposit in the general fund of the state.

Sec. 58. Section 666.6, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Page 19

~~The~~ Not later than January 15 of each year, the clerk of district court shall make an annual report in writing to the ~~board of supervisors at the first regular meeting of the board in January~~ treasurer of state of all forfeited recognizances in the clerk's office; of all fines, penalties, and forfeitures imposed in the district court, which by law ~~go into the county treasury for the benefit of the school fund~~ are paid to the treasurer of state for deposit in the general fund of the state; in what cause or proceeding, when and for what purpose, against whom and for what amount, rendered; whether the fines, penalties, forfeitures, and recognizances have been paid, remitted, canceled, or otherwise satisfied; if so, when, how, and in what manner, and if not paid, remitted, canceled, or otherwise satisfied, what steps have been taken to enforce the collection of the fines, penalties, forfeitures and recognizances. However, the report shall only contain information not already reported on a monthly basis.

Sec. 59. Sections 127.22, 302.3, and 302.24, Code 1983, are repealed.

Sec. 60. Sections 4 through 8 and section 40 of this Act take effect July 1, 1983. The remaining sections of this Act take effect July 1, 1983 for computations required for payment of state aid and levying of property taxes under the state school foundation program for the school year beginning July 1, 1984."

Groth of Buena Vista offered the following amendment H—4056, to the Senate amendment H—4014, filed by him and moved its adoption:

H—4056

Amend H—4014, the Senate amendment to House File 562, as amended, passed, and reprinted by the House, as follows:

1. Page 1, by inserting after line 45 the following:

"Sec. . Section 265.6, Code 1983, is amended to read as follows:

265.6 STATE AID APPLICABLE. If the state board of regents has established a laboratory school, it shall receive state aid pursuant to chapters 281 and 442 for each pupil enrolled in the laboratory school in the same amount as the public school district in

which the pupil resides would receive aid for that pupil and shall transmit the amount received to the institution of higher education at which the laboratory school has been established. If the board of a school district terminates a contract with the state board of regents for attendance of pupils in a laboratory school, the school district shall inform the state comptroller of the number of these pupils who are enrolled in the district on the second Friday of the following September. The state comptroller shall pay to the school district, from funds appropriated in section 442.26, an amount equal to the amount of state aid paid for each pupil in that school district for that school year in payments made as provided in section 442.26. ~~However, payments shall not be made for pupils for which an advance is received by the district under section 442.28.~~"

2. Page 10, by inserting after line 49 the following:

"Sec. . Section 442.4, subsection 1, unnumbered paragraph 5, Code 1983, is amended to read as follows:

A school district shall certify its basic enrollment to the department of public instruction by September 25 of each year, and the department shall promptly forward the information to the state comptroller. ~~For purposes of determining whether a district is entitled to an advance for increasing enrollment a determination of actual enrollment shall be made on the second Friday of September in the budget year by counting the pupils in the same manner and to the same extent that they are counted in determining basic enrollment, but substituting the count in the budget year for the count in the base year. In addition,~~ a A school district shall determine its additional enrollment because of special education defined in section 442.38, on December 1 of each year and if the district is entitled to an advance for special education, it shall certify its additional enrollment

Page 2

because of special education to the department of public instruction by December 15 of each year, and the department shall promptly forward the information to the state comptroller."

3. Page 10, by inserting after line 49 the following:

"Sec. . Section 442.4, subsection 3, paragraphs a and b, Code 1983, are amended to read as follows:

a. ~~Twenty-five~~ Thirty percent of the basic enrollment for the school year beginning July 1, 1979.

b. ~~Seventy-five~~ Seventy percent of the adjusted enrollment computed under subsection 2, paragraph "a," of this section."

4. By striking page 10, line 50, through page 11, line 10.

5. Page 11, by striking lines 36 through 45 and inserting in lieu thereof the following:

"5. Notwithstanding subsections 1 through 4, for the school year beginning July 1, 1984, the state percent of growth, including the recomputations required under subsection 4, is six and one-half percent."

6. Page 14, by inserting after line 27 the following:

"Sec. . Section 453.2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The written resolution or order of the board of directors of a school board shall include information concerning the interest rate paid by the bank for deposits of school moneys and service charges for at least two banks."

7. Page 19, by striking line 21 and inserting in lieu thereof the following:

"Sec. . Sections 127.22, 302.3, 302.24, and 442.28, Code".

8. Page 19, line 24, by inserting after the figure "1983." the following: "Sections 1, 2, 3, 9 through 33 and 47 through 59 take effect July 1, 1984."

Amendment H—4056 was adopted.

Swartz of Marshall in the chair at 5:28 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rensink of Sioux on request of Schnekloth of Scott; Tofte of Winneshiek on request of Bennett of Ida, both for the remainder of the day.

Daggett of Taylor offered the following amendment H—4082, to the Senate amendment H—4014, filed by him from the floor and moved its adoption:

H—4082

Amend H—4014, the Senate amendment to House File 562, as amended, passed, and reprinted by the House, as follows:

1. Page 11, by inserting after line 45 the following section:

"Sec. . Section 442.7, subsection 7, paragraph a, Code 1983, is amended by striking the paragraph and relettering the remaining paragraphs."

2. Page 12, by inserting after line 4 the following section:

"Sec. . Section 442.8, unnumbered paragraph 2, Code 1983, is amended to read as follows:

However, for the budget years beginning July 1, 1980, July 1, 1982, ~~and~~ July 1, 1983, and July 1, 1984, the state cost per pupil shall equal the base year's state cost per pupil plus the allowable growth for the budget year plus an adjustment to the state cost per pupil. For the budget years beginning July 1, 1980, July 1, 1982, ~~and~~ July 1, 1983, and July 1, 1984, the adjustment to the state cost per pupil is twenty dollars per pupil, thirteen dollars per pupil, ~~and~~ eight dollars per pupil, and twenty-two dollars per pupil, respectively."

3. By numbering and renumbering sections as necessary.

Roll call was requested by Daggett of Taylor and Diemer of Black Hawk.

Rule 76 was invoked.

On the question "Shall amendment H—4082 be adopted?"

The ayes were, 43:

Anderson	Bennett	Branstad	Carpenter
Clark	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Halvorson, R. A.	Handorf	Hanson	Hermann
Hoffmann-Bright	Hummel	Krewson	Lageschulte
Maulsby	McIntee	McKean	Menke
Muhlbauer	Mullins	Paulin	Pellett
Poncy	Renaud	Renken	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Welden	Woods	

The nays were, 49:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Davitt	Doderer	Fey
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Holveck

Hughes	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Peick	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Tabor	Varn
Mr. Speaker (Swartz)			

Absent or not voting, 8:

Baxter	Copenhaver	Harbor	Pavich
Rensink	Sullivan	Tofte	Zimmerman

Amendment H—4082 lost.

Speaker Avenson in the chair at 6:06 p.m.

Osterberg of Linn offered the following amendment H—4085, to the Senate amendment H—4014, filed by him from the floor and moved its adoption:

H—4085

Amend H—4014, the Senate Amendment to House File 562, as amended, passed, and reprinted by the House, as follows:

1. Page 1, by striking lines 5 through 45.
2. Page 9, by striking lines 20 through 33.
3. By striking page 9, line 41 through page 10, line 2.
4. By striking page 11, line 46 through page 12, line 4.
5. By striking page 14, line 28 through page 16, line 40.
6. By striking page 16, line 49 through page 18, line 13.
7. By striking page 18, line 22 through page 19, line 22.
8. By numbering and renumbering sections as necessary.

Roll call was requested by Schroeder of Pottawattamie and Parker of Jasper.

Rule 76 was invoked.

On the question "Shall amendment H—4085 be adopted?"

The ayes were, 46:

Anderson	Bennett	Black	Branstad
Buhr	Carpenter	Clark	Cooper
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Hermann	Hoffmann-Bright	Knapp	Krewson
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Menke	Mullins	Osterberg
Paulin	Pellett	Poncy	Renaud
Renken	Royer	Schnekloth	Schroeder
Sherzan	Skow	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen	Woods		

The nays were, 46:

Arnould	Blanshan	Brammer	Carl
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Koenigs	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Peick
Rosenberg	Running	Shoultz	Spear
Sturgeon	Swartz	Tabor	Varn
Welden	Mr. Speaker		

Absent or not voting, 8:

Baxter	Copenhaver	Harbor	Pavich
Rensink	Sullivan	Tofte	Zimmerman

Amendment H—4085 lost.

Corey of Louisa offered the following amendment H—4086, to the Senate amendment H—4014, filed by him from the floor and moved its adoption:

H—4086

Amend the Senate amendment H—4014 to House File 562, as amended, passed and reprinted by the House, as follows:

1. By striking page 2, line 46 through page 3, line 2 and inserting in lieu thereof the words "section 11.18".

A non-record roll call was requested.

The ayes were 35, nays 51.

Amendment H—4086 lost.

The House stood at ease at 6:23 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 562 at 6:32 p.m., Speaker Avenson in the chair.

Groth of Buena Vista moved that the House concur in the Senate amendment H—4014, as amended.

A non-record roll call was requested.

The ayes were 50, nays 37.

The motion prevailed and the House concurred in the Senate amendment H—4014, as amended.

Groth of Buena Vista 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. 562)

The ayes were, 56:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Van Gerpen	Varn	Woods	Mr. Speaker

The nays were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot

Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Menke	Mullins	Paulin
Pellett	Renken	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

Absent or not voting, 8:

Baxter	Copenhaver	Harbor	Pavich
Rensink	Sullivan	Tofte	Zimmerman

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)

Norland of Worth asked and received unanimous consent to immediately message Senate File 495 to the Senate.

SENATE AMENDMENT CONSIDERED
House Refuses to Concur

Knapp of Dubuque called up for consideration **House File 638,** 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management, amended by the Senate, and moved that the House concur in the following Senate amendment H–4065:

H–4065

Amend House File 638 as amended, passed and reprinted by the House as follows:

1. Page 1, lines 11 and 12, by striking the word "fifty-nine" and inserting in lieu thereof the word "fifty-six".

2. Page 1, line 14, by striking the figure "1,358,975" and inserting in lieu thereof the figure "1,261,697".

3. Page 1, by inserting after line 14 the following:

"b. From the general fund

for export sales promotion, sheep industry promotion and fruit, vegetable and reforestation promotion .....$47,000".

4. Page 3, by striking lines 5 through 18 and inserting in lieu thereof the following:

"Sec. 3. Notwithstanding sections 159.11 and 159.12, agricultural statistics shall not be collected by the assessors or the department during 1984."

5. Page 8, line 21, by striking the figure "3,106,382" and inserting in lieu thereof the figure "3,006,382".

6. Page 8, line 31, by striking the word ", Mexico".

7. Page 12, by inserting after line 24 the following:

"3. For assistance to county commissions under chapter 93A .....$99,000".

8. Page 13, by inserting after line 19 the following:

"6. The funds appropriated by subsection 3 shall be allocated at one thousand (1,000) dollars to each county commission for assistance in compiling inventories under chapter 93A. If a county commission has not compiled an inventory as required by chapter 93A, the unexpended balance of the assistance shall revert to the general fund of the state."

The motion lost and the House refused to concur in the Senate amendment H—4065.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Paulin of Plymouth on request of Speaker Avenson; Osterberg of Linn on request of McKean of Jones, both for the remainder of the day.

Unfinished Business Calendar

The House resumed consideration of **Senate Joint Resolution 6,** a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution, deferred and placed on the unfinished business calendar on April 12, 1983 and temporarily deferred today.

Woods of Polk in the chair at 6:59 p.m.

Speaker Avenson in the chair at 7:22 p.m.

Swartz of Marshall moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the legislature to void a rule of a state agency by concurrent resolution.

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 proposed:

Article III, Legislative Department, Constitution of the State of Iowa, is amended by adding the following new section:

NEW SECTION. The general assembly may nullify an adopted administrative rule of a state agency by the passage of a resolution by a majority of all of the members of each house of the general assembly.

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Sixty-ninth General Assembly, 1982 Session, thereafter duly published, and now adopted and agreed to by the Seventieth 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-four 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?" (SJR 6)

The ayes were, 62:

Anderson	Arnould	Bennett	Branstad
Carl	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Davitt
De Groot	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Handorf	Hermann
Hoffmann-Bright	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Lageschulte
Lonergan	Maulsby	McIntee	McKean

Menke	Miller	Muhlbauer	Norland
O'Kane	Ollie	Peick	Pellett
Renaud	Renken	Royer	Schnekloth
Schroeder	Skow	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Mr. Speaker		

The nays were, 26:

Black	Blanshan	Brammer	Buhr
Carpenter	Diemer	Doderer	Fey
Grandia	Gronstal	Halvorson, R. N.	Hammond
Hanson	Haverland	Holveck	Krewson
Mullins	Parker	Poncy	Rosenberg
Running	Sherzan	Shoultz	Spear
Tabor	Van Gerpen		

Absent or not voting, 12:

Baxter	Copenhaver	Harbor	Lloyd-Jones
Osterberg	Oxley	Paulin	Pavich
Rensink	Sullivan	Tofte	Zimmerman

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

HOUSE CONCURRENT RESOLUTION 29
By Chiodo

Whereas, House File 519, "An Act relating to rate or price differentials for health care services charged by a hospital or health care facility", was introduced by the House Committee on Small Business and Commerce to carry out the principle adopted by the Governor's Commission on Health Care Costs that "hospital payment systems should foster equity among payers and providers", was not acted upon by the General Assembly in the 1983 Session; and

Whereas, it is in the public interest to protect the citizens of Iowa from varying schedules of charges for like private sector services from the same hospital when the variation in charges gives some payers an advantage or discount which is then made up by an increase in billings to other payers, which is commonly referred to as cost shifting; and

Whereas, it has been indicated by hospitals that the payment formula under current consideration for the Blue Cross corporation, would leave those hospitals with a substantial shortfall which, if the indication

is correct, could result in the cost shifting of millions of dollars statewide because of the payment formula; and

Whereas, equity among payers, one of the proposals, might enable the state to qualify under recently established criteria for a waiver from the cost shift policy involved in the federal government payer plans; and

Whereas, since current studies indicate this federal cost shift, on an average nationwide, exceeds fifty

Page 2

dollars per day for a private-sector hospital patient; qualification for a federal waiver could save the citizens of Iowa more in hospital costs alone than any other action the state could take, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Legislative Council authorize the appointment of a Joint Subcommittee of the Senate Commerce Committee and the House Committee on Small Business and Commerce to continue the study of the contents of House File 519 and alternate proposals to prevent hospital cost discrimination and assure equity among payers, not only to protect the citizens of Iowa from unfair and discriminatory private sector charges for like services by the same hospital, but also to provide necessary payer equity, and to consider the feasibility for the state to try to obtain a federal waiver from the cost shifting involved in governmental programs.

Laid over under Rule 25.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 6, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 37, an act relating to the use of polygraph examinations as a condition of employment and providing a penalty.

House File 135, an act establishing time limits for obligations of distributors relating to the pickup of beverage containers.

House File 214, an act providing immunity from liability resulting from assistance in an investigation of child abuse.

House File 279, an act relating to the membership of project advisory committees and administrative rules relating to community-based correctional programs.

House File 315, an act to increase the jurisdiction amount of small claims court to two thousand dollars and to increase the small claims docket fee.

House File 317, an act relating to the licensing of public school boards for the purpose of conducting gambling activities.

House File 377, an act relating to the financing of public projects through bonds, warrants, special assessments, and other obligations, by amending procedures for the issuance of bonds, warrants, special assessments, and other obligations, by providing for the registration of bonds or other obligations, by authorizing interim financing of projects, and making corresponding amendments to the Code.

House File 448, an act providing for the regulation of residential maintenance service companies by the commissioner of insurance, and providing penalties.

House File 477, an act to prohibit the filing of school district reorganization petitions with an area education agency within six months after the occurrence of certain conditions.

House File 494, an act relating to certified public accountants, accounting practitioners, and the board of accountancy.

House File 518, an act relating to the amount of money an individual farmer may be loaned under the soil conservation loan program.

House File 528, an act relating to the revision of the juvenile victim restitution program.

House File 592, an act relating to securities exempt from registration under the Iowa uniform securities act.

Senate File 464, an act reorganizing the department of social services by establishing a department of corrections, renaming the department of social services as the department of human services, and providing 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 6th day of May, 1983: House Files 341, 525, 527 and 557.

JOSEPH O'HERN
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 eighth grade students from Oskaloosa Christian School, Oskaloosa, accompanied by Mr. Holwerda and Mr. Spoelstra. By Van Maanen of Mahaska.

Fifteen Girl Scouts from St. Cecilia's School, Ames, accompanied by Carolyn Konechne. By Hammond and Rosenberg of Story.

Forty-five fourth grade students from Carey Elementary School, Waverly, accompanied by Mrs. Borglum and Mrs. Young. By Lageschulte of Bremer.

Fifty fourth grade students from Northstar Elementary School, Knoxville, accompanied by Lori Pearson. By Grandia of Marion.

Twenty-two eighth grade students from St. Patrick School, Cedar Falls, accompanied by Sister Briged Stanley, Linda Ceilley, and Mr. and Mrs. Mike Rokes. By Van Gerpen and Diemer of Black Hawk.

Thirty Senior students from Knoxville High School, Knoxville, accompanied by Ken Howard. By Grandia of Marion.

Fifty-two sixth grade students from Boyden-Hull Community School, Boyden, accompanied by Miss Fitzgerald, Mrs. Cox, Mrs. Huls and Mr. Vanderschaff. By Rensink of Sioux and De Groot of Lyon.

SUBCOMMITTEE ASSIGNMENTS

House File 641

Finance: Arnould, Chair; Jochum and Krewson.

House File 643

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

House File 647

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

House File 648

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

Senate File 314

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

Senate File 354

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

Senate File 461

Finance: Doderer, Chair; Branstad and Halvorson of Webster.

Senate File 530

Finance: Arnould, Chair; Branstad and Jochum.

Senate File 531

Finance: Halvorson of Webster, Chair; Branstad and Chiodo.

Senate File 537

Ways and Means: Groninga, Chair; De Groot and Koenigs.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 344

Finance: Connolly, Chair; Arnould and Branstad.

Study Bill 345

Finance: Halvorson of Webster, Chair; Arnould and Krewson.

Study Bill 346

Ways and Means: Doderer, Chair; Schnekloth and Tabor.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 541, a bill for an act relating to the codified provisions of the department of social services for the medical assistance program; the child day care facility program; the aid to dependent children program; the child support and foster care recovery programs, including provisions relating to support recoveries for persons who are not public assistance recipients; the state supplementary assistance program; and the dependent adult abuse program.

Fiscal Note is not required.

Recommended **Do Pass** May 6, 1983.

Pursuant to House Rule 33, Senate File 541 was referred to the committee on Finance.

Senate File 546, a bill for an act relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the federal fiscal year beginning October 1, 1982 and ending September 30, 1983.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4078** May 6, 1983.

Pursuant to House Rule 33, Senate File 546 was referred to the committee on Finance.

Committee Bill, relating to the regulation of radiation machines, radioactive materials and sources of nonionizing radiation and providing a civil penalty for violations.

Fiscal Note is not required.

Recommended **Do Pass** May 6, 1983.

COMMITTEE ON FINANCE

House File 643, a bill for an act relating to the payment of principal and interest on public bonds by providing for a mandatory levy of taxes and the determination of certain interest rates.

Fiscal Note is not required.

Recommended **Do Pass** May 6, 1983.

COMMITTEE ON WAYS AND MEANS

Senate File 537, a bill for an act to provide a property tax levy for equipment replacement for area schools.

Fiscal Note is required.

Recommended **Do Pass** May 6, 1983.

Pursuant to House Rule 33, Senate File 537 was referred to the committee on Finance.

Committee Bill (Formerly House File 504), providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer.

Fiscal Note is required.

Recommended **Amend and Do Pass** May 6, 1983.

Committee Bill (Formerly Study Bill 343 Revised), providing for the payments in each fiscal year of homestead tax credits, extraordinary tax credits, mobile home tax credits, agricultural land tax credits, livestock tax credits, military tax credits, and personal property tax credits to the respective county treasurers by the state comptroller.

Fiscal Note is required.

Recommended **Do Pass** May 6, 1983.

Committee Bill (Formerly Study Bill 346), to allow certain nonprofit corporations owning property in this state an extension of time to file for exemption from property taxes for a designated tax year.

Fiscal Note is not required.

Recommended **Do Pass** May 6, 1983.

AMENDMENTS FILED

H—4066	H.F.	123	Senate Amendment
H—4069	H.F.	646	Jochum of Dubuque
H—4074	H.F.	532	Groth of Buena Vista
H—4078	S.F.	546	Committee on Appropriations
H—4080	S.F.	92	Woods of Polk
H—4081	H.F.	532	Groth of Buena Vista
H—4084	H.F.	646	Hughes of Union

On motion by Norland of Worth, the House adjourned at 7:28 p.m., until 10:00 a.m., Monday, May 9, 1983.

JOURNAL OF THE HOUSE

One Hundred Twentieth Calendar Day — Seventy-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, May 9, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Reverend Dick Clark, pastor of the Grace United Methodist Church, Mason City.

The Journal of Friday, May 6, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek on request of Bennett of Ida; Pellett of Cass on request of Anderson of Audubon, both until their arrival.

PETITIONS FILED

The following petitions were received and placed on file:

By Halvorson of Clayton, from four hundred eleven northeast Iowans opposing the highway 18 bypass of McGregor-Marquette as proposed by the Department of Transportation.

By Paulin of Plymouth, from two hundred ninety-three constituents of the fifth district opposing House File 564, an act relating to the funding of substance abuse programs and services.

INTRODUCTION OF BILLS

House File 650, by committee on ways and means, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to file for exemption from property taxes for a designated tax year.

Read first time and referred to committee on **finance.**

House File 651, by committee on ways and means, a bill for an act providing for the payments in each fiscal year of homestead tax credits, extraordinary tax credits, mobile home tax credits, agricultural land tax credits, livestock tax credits, military tax credits, and personal property tax credits to the respective county treasurers by the state comptroller.

Read first time and referred to committee on **finance.**

SENATE MESSAGE CONSIDERED

Senate File 533, by committee on appropriations, 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.**

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 29, 1983, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 513, a bill for an act relating to the name of a state bank.

K. MARIE THAYER, Secretary

IMMEDIATE MESSAGES

Norland of Worth asked for unanimous consent to immediately message House File 562 to the Senate.

Objection was raised.

Norland of Worth asked and received unanimous consent to immediately message the following bill and resolutions to the Senate: House File 638, Senate Joint Resolution 6, and House Concurrent Resolution 21.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 643.

Norland of Worth asked and received unanimous consent to defer action on House File 646 and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 643, a bill for an act relating to the payment of principal and interest on public bonds by providing for a mandatory levy of taxes and the determination of certain interest rates, was taken up for consideration.

Groninga 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. 643)

The ayes were, 97:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon

Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Baxter	Pellett	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 643)

Norland of Worth asked and received unanimous consent to immediately message House File 643 to the Senate.

SENATE FILE 538 SUBSTITUTED FOR HOUSE FILE 639

Copenhaver of Buchanan asked and received unanimous consent to substitute Senate File 538 for House File 639.

Senate File 538, a bill for an act prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive, was taken up for consideration.

Hermann of Scott offered the following amendment H–4033 filed by him and moved its adoption:

H–4033

Amend Senate File 538 as follows:
1. Page 1, line 10, by inserting after the numerals "423." the following: "Taxes voluntarily paid shall not include taxes paid under protest. The department shall adopt procedures for payment under protest."

Amendment H–4033 lost.

Copenhaver of Buchanan offered the following amendment H–4050 filed by him and moved its adoption:

H—4050

Amend Senate File 538 as passed by the Senate as follows:

1. Page 1, by inserting after line 13 the following:

"Sec. . This Act, being deemed of immediate importance, takes effect from and after its publication in the Telegraph Herald, a newspaper published in Dubuque, Iowa, and in the Independence Bulletin-Journal, a newspaper published in Independence, Iowa."

Amendment H—4050 was adopted.

Copenhaver 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. 538)

The ayes were, 82:

Arnould	Bennett	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Daggett	Davitt	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Osterberg	Oxley
Parker	Peick	Poncy	Renaud
Renken	Rosenberg	Royer	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Tofte
Torrence	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 14:

Anderson	Branstad	Corey	De Groot
Grandia	Krewson	Maulsby	Ollie
Paulin	Rensink	Running	Swearingen
Van Camp	Van Maanen		

Absent or not voting, 4:

Baxter Pavich Pellett 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 538)

Norland of Worth asked and received unanimous consent to immediately message Senate File 538 to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pavich of Pottawattamie, until his return, on request of Speaker Avenson.

On motion by Norland of Worth, the House was recessed at 10:54 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 652, by Norland and Stromer, a bill for an act relating to the penalties for certain crimes including the crime of operating a motor vehicle while under the influence of alcohol or drugs or while having thirteen hundredths or more of one percent of alcohol in the blood, and the crime of false use of a financial instrument.

Read first time and referred to committee on **judiciary and law enforcement.**

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, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 627, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code.

Also: That the Senate has on May 9, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 540, a bill for an act relating to state payments by providing for single payments in each fiscal year of various credits to the county treasurers.

Also: That the Senate has on May 6, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 543, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps.

Also: That the Senate has on May 9, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 550, a bill for an act relating to determining the cost of certain state publications.

Also: That the Senate has on May 9, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 26, urging Iowa members of Congress to support H.R. 1646, the Railroad Retirement Solvency Act of 1983.

K. MARIE THAYER, Secretary

SENATE CONCURRENT RESOLUTION 26
By Anderson

Whereas, many residents of the state of Iowa are currently engaged in railroad employment or have been employed by a railroad in the past and depend upon the railroad retirement system to provide benefits when they retire; and

Whereas, many residents of the state of Iowa are currently receiving benefits under the railroad retirement system and rely on the benefits to meet the normal costs of living; and

Whereas, any reduction in the amount of benefits received by beneficiaries under the railroad retirement system would have an adverse affect on the ability of these beneficiaries to meet normal living expenses; and

Whereas, projections of the financial condition of the railroad retirement system show that unless

corrective action is taken, monthly annuities will be reduced significantly beginning with the annuity checks to be sent October 1, 1983, with additional reductions required in the future; and

Whereas, a bill, H.R. 1646, the Railroad Retirement Solvency Act of 1983, was introduced in the United States House of Representatives on February 24, 1983; and

Whereas, H.R. 1646 would resolve the short-term and long-term financial problems of the railroad retirement system, through an even-handed approach of tax increases on railroad employers and employees and adjustments of benefits to current and future beneficiaries, thereby preserving and protecting the

Page 2

rights and expectations of those currently receiving benefits and those who would receive such benefits in the future; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the members of the Iowa General Assembly urge the members of Congress representing the state of Iowa to actively support and vote favorably on H. R. 1646, the Railroad Retirement Solvency Act of 1983 and that a copy of this resolution shall be presented to each member of Congress representing Iowa.

Laid over under Rule 25.

The House stood at ease at 1:42 p.m., until the fall of the gavel.

The House resumed session at 3:42 p.m., Speaker Avenson in the chair.

SENATE MESSAGES CONSIDERED

Senate File 543, by committee on finance, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps.

Read first time and referred to committee on **finance.**

Senate File 550, by committee on appropriations, a bill for an act relating to determining the cost of certain state publications.

Read first time and referred to committee on **appropriations.**

CONSIDERATION OF BILLS
Appropriations Calendar

House File 646, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds, was taken up for consideration.

Chiodo of Polk offered the following amendment H–4043 filed by him and moved its adoption:

H–4043

Amend House File 646 as follows:
1. Page 5, lines 19 and 20, by striking the words "chairperson and members of the Iowa state commerce commission,".
2. Page 5, line 34, by inserting after the word "agency," the words "chairperson and members of the Iowa state commerce commission, consumer advocate,".

Amendment H–4043 was adopted.

Jochum of Dubuque asked and received unanimous consent to defer action on amendment H–4069.

Jochum of Dubuque offered the following amendment H–4097 filed by him from the floor and moved its adoption:

H–4097

Amend House File 646 as follows:
1. By striking page 6, line 9 through page 7, line 34 and inserting in lieu thereof the following:
"Sec. 9. The following annual salary ranges are effective for the positions specified in this section and for the fiscal years indicated. The salary shall be paid to the person indicated at a rate determined as otherwise provided by law within the salary ranges from funds provided for that purpose.

	1983-1984 Fiscal Year		1984-1985 Fiscal Year	
	Minimum	Maximum	Minimum	Maximum
1. For the court administrator	35,000	46,700	36,400	48,600
2. For each full-time shorthand reporter of the district court	15,450	25,850		

The salary range for the fiscal year beginning July 1, 1984 is effective for subsequent fiscal years until otherwise provided by the general assembly."

2. Page 8, line 1, by striking the numbers "9, 10, and 11" and inserting in lieu thereof the following: "and 9".

3. Page 14, by striking lines 4 through 23.

4. By renumbering sections to conform with this amendment.

Amendment H—4097 was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H—4069 filed by him on May 6, 1983.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the day, on request of Stromer of Hancock.

Hammond of Story offered the following amendment H—4062 filed by her and Jochum of Dubuque and moved its adoption:

H—4062

Amend House File 646 as follows:

1. Page 12, line 13, by inserting after the word "governor" the words "except those policies governing the board office employees of the state board of regents".

Amendment H—4062 was adopted.

Jochum of Dubuque offered the following amendment H—4060 filed by him and moved its adoption:

H—4060

Amend House File 646 as follows:

1. Page 12, line 34, by striking the words "A merit increase" and inserting in lieu thereof the words "A within-range step increase (merit increase)".

2. Page 13, lines 4 and 5, by striking the words "merit increase" and inserting in lieu thereof the words "within-range step increase (merit increase)".

Amendment H—4060 was adopted.

Hughes of Union asked and received unanimous consent to withdraw amendment H—4084 filed by him on May 6, 1983.

Jochum of Dubuque offered the following amendment H—4103 filed from the floor by Jochum, Branstad, Arnould, Halvorson of Clayton and Handorf and moved its adoption:

H—4103

Amend House File 646 as follows:

1. Page 15, by striking lines 2 through 14 and inserting in lieu thereof the following: "member shall receive the sum of ~~thirty~~ forty dollars per day for expenses of office, except travel, for each day the general assembly is in session commencing with the first day of a legislative session and ending with the day of final adjournment of each legislative session as indicated by the journals of the house and senate, except that in the event the length of the first regular session of the general assembly exceeds one hundred ~~twenty~~ ten calendar days and the second regular session exceeds one hundred calendar days, such payments shall be made only for one hundred ~~twenty~~ ten calendar days for the first session and one hundred calendar days for the second session. However, members from Polk county shall receive ~~fifteen~~ twenty-five dollars per day. Travel expenses shall be paid at".

Amendment H—4103 was adopted.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 646)

The ayes were, 53:

Arnould	Black	Blanshan	Brammer
Carl	Carpenter	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Copenhaver	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Haverland	Jochum	Knapp	Krewson
Lloyd-Jones	Lonergan	Miller	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Peick	Renaud	Rosenberg
Running	Schroeder	Sherzan	Shoultz
Spear	Stromer	Sturgeon	Swartz
Swearingen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 43:

Anderson	Bennett	Branstad	Buhr
Clark	Cooper	Corey	Daggett
Davitt	De Groot	Grandia	Gronstal
Handorf	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Koenigs	Lageschulte	Maulsby	McIntee
McKean	Menke	Muhlbauer	Oxley
Paulin	Poncy	Renken	Rensink
Royer	Schnekloth	Skow	Stueland
Sullivan	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

Absent or not voting, 4:

Baxter	Pavich	Pellett	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 646)

Norland of Worth asked and received unanimous consent to immediately message House File 646 to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 448**, a bill for an act relating to the issuance, termination, and requirements for teachers' contracts, deferred and placed on the unfinished business calendar on April 14, 1983.

Haverland of Polk in the chair at 4:21 p.m.

Shoultz of Black Hawk asked and received unanimous consent to defer action on amendment H–3584 filed by the committee on education.

Shoultz of Black Hawk offered the following amendment H–4059 filed by Shoultz, et al. :

H–4059

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 279.13, subsection 1, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Contracts with teachers, which for the purpose of this section means all certificated employees of a school district and nurses employed by the board, excluding superintendents, assistant superintendents, principals, and assistant principals, educational directors, and other certificated school supervisors as defined under section 20.4, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract may include employment for a term not exceeding the ensuing school year, except as otherwise authorized.

Sec. 2. Section 279.13, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. The contract shall not, by its terms or its application, deny or limit any law of this state including but not limited to the continuing contract and discharge sections of this chapter.

Sec. 3. Section 279.15, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

279.15 TERMINATION PROCEDURES.

1. The board may review the performance or

discharge of a teacher with the superintendent and other administrators in a closed session. A request for the closed session is not necessary. If the board determines that it should consider the discharge of a teacher, the board shall notify the teacher in writing of its intent which shall state the reasons for considering discharge. Within five days after receiving notice, the teacher may request a private conference with the board to review the reasons. The private conference and deliberations of the board are not subject to chapter 28A. If the teacher requests a private conference, the teacher shall be present at the meeting and may bring a representative. The parties waive no other rights and are not excused from any other responsibility under this chapter by participating in the private conference. No offers of settlement are admissible evidence in any further proceeding under this chapter. If the teacher does not request a private conference, or, if a private conference is requested, after the board has met with

Page 2

the teacher, it shall complete its consideration in executive session, then convene in open meeting and by roll call vote determine whether to continue or discharge the teacher. If the board determines to discharge the teacher effective at the conclusion of a school year, it shall mail by certified mail or personally deliver not later than April 15 a notice of discharge which must contain a statement of the reasons, which must be for just cause, why the teacher is being discharged. The notification is complete when the teacher receives the notice.

2. The notification shall state when the proposed discharge is to take effect. The notification shall inform the nonprobationary teacher of the right to appeal a discharge and shall inform the probationary teacher of the right to appeal a discharge that would take effect at a time other than at the conclusion of a school year.

If the proposed discharge relates to the school district's personnel needs or budgetary requirements and a grievance has been filed within the time limit prescribed in the collective bargaining agreement, hearing procedures under this chapter shall be stayed pending the completion of the grievance procedure. The finality of a grievance arbitration and ordered remedy shall depend solely upon the terms negotiated by the parties to the collective bargaining agreement. Issues disposed of by a grievance are precluded from

further hearings under this chapter.

Sec. 4. Section 279.16, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

279.16 REQUEST FOR HEARING.

1. Within ten days of receipt by a teacher of the notice of discharge, the teacher may appeal the board's action. The appeal shall be in writing, delivered personally by the teacher or a representative, or by certified mail, to the secretary of the board. Failure to file the appeal within ten days of receipt by the teacher of the notification of discharge shall bar further action on the appeal.

2. If a teacher timely appeals the board's action, within five days following receipt of the appeal, the secretary of the board shall notify the chairperson of the public employment relations board of the appeal and request that a list of seven hearing officers be submitted to the board and the teacher, or their respective representatives, if any. The chairperson of the public employment relations board shall within five days provide a list of seven hearing officers

Page 3

to the parties and representatives, if any. Within three days from receipt of the list of hearing officers, the parties shall select a hearing officer by alternately removing a name from the list. The person whose name remains is the hearing officer. The parties shall determine by lot which party shall remove the first name from the list. The secretary of the board shall inform the chairperson of the public relations board of the name of the hearing officer selected.

Sec. 5. Section 279.17, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

279.17 HEARING.

1. As used in this section and section 279.18, "employee" means a teacher as defined in section 279.13 or an administrator as defined in section 279.23.

2. A hearing shall be held under the hearing officer's supervision at a time and place agreed to by the parties. The hearing is not subject to chapter 28A. If the parties cannot agree to a reasonable time and place, the hearing officer may designate the time and place for the hearing. The hearing officer shall notify the secretary of the board, the employee, or if requested, the representatives of the parties, in writing concerning the date, time,

and location of the hearing. The board may be represented by legal counsel and its superintendent, and the employee may appear and be represented.

3. As a part of the discharge proceedings, the employee's complete personnel file of employment by that school district, including all periodic evaluations and written reprimands, shall be available to the employee or representative, which file shall contain a record of all periodic evaluations between the employee and appropriate supervisors. The board of directors or its agents shall allow the employee or representatives to make copies of the employee's complete personnel file.

4. At least ten days before the hearing, the board or its representatives shall also furnish to the employee all of the documentation which may be presented to the hearing officer at the hearing and a list of all of the persons who may address the hearing officer in support of the board's action at the hearing. At least five days before the hearing, the employee shall provide all of the documentation which may be presented to the hearing officer at the hearing and a list of the names of persons who may

Page 4

address the hearing officer in support of the teacher at the hearing. The exchange of information shall be at the time specified unless otherwise agreed.

5. The hearing shall be presided over by the hearing officer who shall be the initial finder of fact. Witnesses may be sequestered upon motion by either party. However, the employee or designees and superintendent or designee and immediate supervisors may be present throughout the hearing. The evidence at the hearing is limited to the specific reasons stated in the notice of discharge to the employee. A participant in the hearing is not liable for damages to any person if a statement at the hearing is determined to be erroneous as long as the statement was made in good faith. The board or its representatives shall present evidence and argument relevant to the issues involved and the employee, or representative, may cross-examine, respond, and present evidence and argument relevant to the issues involved. The record made before the hearing officer, including the transcript, exhibits, findings of fact and conclusions of law, are confidential and not subject to chapter 68A. The board shall employ a certified shorthand reporter to keep a record of the hearing. The proceedings, or any part of the proceedings, shall be transcribed when an appeal is

taken, with the expense of transcription shared equally by the employee and the school district.

6. The board or its representatives shall carry the burden of proof of the reasons given to discharge the employee. The standard of proof shall be just cause limited to the employee's performance of duties performed during the normal work day.

The hearing officer may administer oaths in the same manner and with like effect and under the same penalties as magistrates exercising criminal or civil jurisdiction. The hearing officer shall cause subpoenas to be issued for witnesses and the production of books and papers as either the board or the employee may designate. The subpoenas shall be signed by the hearing officer, or the chairperson of the public employment relations board.

7. If a witness is subpoenaed and refuses to attend, or if a witness appears and refuses to testify or to produce required books or papers, the hearing officer may postpone the hearing and shall report the refusal in writing to the district court of the county in which the administrative office of the school district is located, and the court shall proceed with contempt proceedings as though the refusal had

Page 5

occurred in a proceeding legally pending before the court.

8. The hearing officer is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure, but shall hold the hearing in a manner that is best suited to ascertain and preserve the substantial rights of the parties. Process and procedure shall be as summary as reasonably possible. Evidence may be by stipulation of the parties and informal settlement may be made by stipulation, consent, or default, or by any other method agreed upon by the parties in writing.

At the conclusion of the hearing, the board and the employee may file written briefs and arguments with the hearing officer within ten days or another time as agreed upon.

9. The hearing officer, within thirty days after the hearing, or another time agreed upon by the parties, shall make a decision and transmit a copy of the decision by certified mail to the employee, the secretary of the board, and all representatives of the parties. The decision shall be in writing and shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied

by a concise and explicit statement of the underlying facts and supporting the findings. Each conclusion of law shall be supported by cited authority or by reasoned opinion. Costs of the hearing officer shall be shared equally by the employee and the board.

10. As a part of the hearing officer's decision, the hearing officer shall make an award of back pay, order reinstatement, and grant any other appropriate relief if the hearing officer finds in favor of the employee.

The hearing officer may convene a hearing for the presentation of necessary evidence to sustain an award of costs, or in the alternative take the evidence by stipulation.

11. The decision of the hearing officer is final and binding upon the parties unless either party within ten days of the date of the filing of the decision notifies the secretary of the board that the decision is rejected. The board may reject the decision by majority vote, by roll call, in open meeting and entered into the minutes of the meeting. The board shall immediately notify the employee of its decision by certified mail. The employee may reject the hearing officer's decision by notifying the secretary of the board in writing.

Page 6

Sec. 6. Section 279.18, Code 1983, is amended to read as follows:

279.18 APPEAL BY EITHER PARTY TO COURT.

1. If either party rejects the ~~adjudicator's~~ decision of the hearing officer, the rejecting party shall, within thirty days of the ~~initial~~ filing of ~~such~~ the decision, appeal to the district court of the county in which the administrative office of the school district is located. ~~The notice of appeal shall be immediately mailed by certified mail to the other party.~~

2. Within ten days after the filing of a petition for judicial review, the petitioner shall serve by the means provided in the Iowa rules of civil procedure for the personal service of an original notice, or shall mail copies of the petition to all parties named in the petition. The personal service or mailing shall be jurisdictional. The delivery by personal service or mailing referred to in this subsection may be made upon the party or representative in the proceeding before the hearing officer. A mailing shall be addressed to the parties or representatives at their last known mailing address. Proof of mailing shall be by affidavit.

3. The ~~adjudicator~~ hearing officer shall transmit to the reviewing court the original or a certified copy of the entire record which may be the subject of the petition. By stipulation of all parties to the review proceedings, the record of ~~such a~~ the case may be shortened. A party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional cost. The court may require or permit subsequent corrections or additions to the shortened record.

4. In proceedings for judicial review of the ~~adjudicator's~~ decision of the hearing officer, the court shall not hear ~~any~~ further evidence but shall hear the case upon the certified record. The record shall include:

a. All pleadings, motions and intermediate rulings.

b. All evidence received or considered and all other submissions.

c. A statement of matters officially noticed.

d. All questions and offers of proof, objections, and rulings on the record.

e. All findings and exceptions.

f. A decision, opinion, or conclusion by the hearing officer.

g. Findings of fact shall be based solely on the evidence in the record and on matters officially

Page 7

noticed in the record.

5. In ~~such~~ a judicial review, especially when considering the credibility of witnesses, the court shall give weight to the fact findings of the ~~board; but shall not be bound by them~~ hearing officer. The court may affirm the ~~adjudicator's~~ decision of the hearing officer or ~~remand to the adjudicator or the board for further proceedings upon conditions determined by the court. The court shall~~ reverse, modify, or grant any other appropriate relief from the ~~board decision or the adjudicator's~~ decision of the hearing officer equitable or legal and including declaratory relief if substantial rights of the petitioner have been prejudiced because the action is:

~~1~~ a. In violation of constitutional or statutory provisions; or

~~2~~ b. In excess of the statutory authority of the board or the ~~adjudicator~~ hearing officer; or

~~3~~ c. In violation of a board rule or policy or contract; or

~~4~~ d. Made upon unlawful procedure; or

~~5~~ e. Affected by other error of law; or

6 f. Unsupported by ~~a preponderance of the competent~~ substantial evidence in the record made before the board and the ~~adjudicator~~ hearing officer when that record is viewed as a whole; or

~~7~~ g. Unreasonable, arbitrary or capricious or characterized by an abuse of discretion or a clearly unwarranted exercise of discretion.

An aggrieved or adversely affected party to the judicial review proceeding may obtain a review of any final judgment of the district court by appeal to the supreme court. The appeal shall be taken as in other civil cases, although the appeal may be taken regardless of the amount involved.

Sec. 7. Section 279.19, unnumbered paragraphs 2 and 3, Code 1983, are amended to read as follows:

In the case of the termination of a probationary teacher's contract, ~~the provisions of sections~~ section 279.15 ~~and 279.16~~ shall apply.

The discharge procedures for a probationary teacher at any time other than at the conclusion of the school year shall be initiated pursuant to section 279.15, and procedures in section 279.15 through section 279.18 apply.

The board's decision shall be final and binding unless the termination was based upon an alleged violation of a constitutionally guaranteed right of the teacher, ~~or~~ an alleged violation of public employee

Page 8

rights of the teacher under section 20.10, a violation of the procedural requirements of this chapter, or a violation of a collective bargaining agreement found by a grievance arbitrator.

Sec. 8. Section 279.24, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

279.24 CONTRACT WITH ADMINISTRATORS—AUTOMATIC CONTINUATION OR DISCHARGE.

1. An administrator's contract shall remain in force and effect for the period stated in the contract. The contract shall be automatically continued in force and effect for one year beyond the end of its term, except as modified or terminated by mutual agreement of the board of directors and the administrator, or until discharged as provided in this section.

An administrator may file a written resignation with the secretary of the board on or before May 1 of each year or the date specified by the board for return of the contract, whichever date occurs first.

2. Administrators employed in a school district for less than two consecutive years are probationary

administrators. However, a board may waive the probationary period for an administrator who has previously served a probationary period in another school district and the board may extend the probationary period for an additional year with the consent of the administrator. The board's decision to discharge a probationary administrator shall be final unless the discharge was based upon an alleged violation of a constitutionally guaranteed right of the administrator.

3. The board may review the performance or discharge of an administrator in closed session without a request by the administrator. If a board determines that it should consider discharge of an administrator, it shall notify the administrator in writing of its intent which shall state the reasons for considering discharge. Within five days after receiving notice, the administrator may request a private conference with the board to discuss the reasons with the board. The private conference and deliberations of the board shall not be subject to chapter 28A. If the administrator does not request a private conference, or, if a private conference is requested, after the board has met with the administrator, the board shall complete its consideration in executive session and convene in open session and by roll call, vote whether to discharge the administrator. If the board votes to discharge the administrator, the board shall notify

Page 9

the administrator not later than April 30 that the contract will not be renewed beyond the current year. The notice shall be in writing by letter, personally delivered, or mailed by certified mail. The notice shall state the reasons, which for all administrators, except superintendents, shall be for just cause, why the administrator is being discharged. The notification shall be complete when received by the administrator. The board shall have exclusive jurisdiction to initiate discharge proceedings and the proceedings under this section and sections 279.17 and 279.18 shall be the exclusive appeal of the board's decision.

4. Within ten days of receipt by the administrator of the notice of discharge, a nonprobationary administrator may appeal the board's action. The appeal shall be in writing, delivered personally by the administrator or a representative or by certified mail, to the secretary of the board. The written appeal must state the administrator's objection to the board's action and the grounds for the objection.

Failure to file the appeal within ten days of receipt by the administrator of the notification of discharge shall bar further action on the appeal.

Within five days after receipt of the written notice that the board has voted to discharge the administrator, the administrator may request in writing to the secretary of the board that the notification be forwarded to the professional teaching practices commission along with a request that the professional teaching practices commission submit a list of seven qualified hearing officers to the parties. Within three days from receipt of the list, the parties shall select a hearing officer by alternately removing a name from the list until only one name remains. The parties shall determine by lot which party shall remove the first name from the list. The person whose name remains shall be the hearing officer. The secretary of the board shall notify the commission of the hearing officer selected. The hearing shall be held pursuant to section 279.17. An appeal shall be as provided in section 279.18.

Sec. 9. Section 279.25, Code 1983, is amended to read as follows:

279.25 DISCHARGE OF ADMINISTRATOR. An administrator may be discharged at any time during the contract year for just cause. The administrator shall be notified in writing that the board has voted to ~~consider termination of the administrator's contract~~ discharge the administrator and the applicable

Page 10

procedures of section 279.24 shall apply.

Sec. 10. Section 279.27, Code 1983, is amended to read as follows:

279.27 DISCHARGE OF TEACHER. A teacher may be discharged at any time during the contract year for just cause. The superintendent or the superintendent's designee, shall notify the teacher immediately that the superintendent will recommend in writing to the board at a regular or special meeting of the board held not more than fifteen days after notification has been given to the teacher that the ~~teacher's continuing contract~~ teacher be ~~terminated~~ discharged effective immediately following a decision of the board. The procedure for ~~dismissal~~ discharge during a contract year shall be as provided in sections 279.15~~(2)~~ to 279.19. The superintendent may suspend a teacher under this section pending hearing and determination by the board.

Sec. 11. Section 272A.8, Code 1983, is amended to read as follows:

272A.8 APPOINTMENT OF HEARING OFFICERS. The commission shall maintain a list of qualified persons to serve as hearing officers who are experienced in the educational system of this state when a hearing is requested under the provisions of section 279.24. When requested under the provisions of section 279.24, the commission shall submit a list of ~~five~~ seven qualified hearing officers to the parties. ~~The hearing shall be held pursuant to the provisions of chapter 17A relating to contested cases.~~ The full costs of the hearing officer shall be shared equally by the parties. A person who is a board member or who is employed as a teacher or administrator by a school district ~~shall not be~~ is not eligible to serve as a hearing officer.

Sec. 12. Section 275.33, subsection 1, Code 1983, is amended to read as follows:

1. The terms of employment of superintendents, principals, and teachers, for the school year following the effective date of the formation of the new district shall not be affected by the formation of the new district, except in accordance with ~~the provisions of~~ sections 279.15 ~~to 279.18~~ through 279.19 and 279.24.

Sec. 13. Section 279.12, Code 1983, is amended by inserting the following new unnumbered paragraph after unnumbered paragraph 1:

NEW UNNUMBERED PARAGRAPH. The board shall approve the leave of absence of a teacher to serve in a public position for which the teacher was elected. A teacher hired on a temporary basis to replace the elected

Page 11

teacher is not subject to sections 279.15 through 279.19 if the temporarily-employed teacher is discharged when the elected teacher returns to full-time teaching duties."

The House stood at ease at 4:35 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—4059 to Senate File 448 at 5:35 p.m., Speaker Avenson in the chair.

Fogarty of Palo Alto offered the following amendment H—4094, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4094

Amend the amendment, H—4059 to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 19 the following:

"Sec. . Section 279.13, subsection 2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The contract of a teacher employed to replace another teacher who is on a leave of absence is not subject to sections 279.15 through 279.19 upon the other teacher's return from leave."

2. By striking page 10, line 49, through page 11, line 4 and inserting in lieu thereof the words "position for which the teacher was elected."

Amendment H—4094 was adopted.

Spear of Lee offered the following amendment H—4093, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4093

Amend the amendment H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 30 through 32 and inserting in lieu thereof the following:

"1. The board may, in a closed session with the superintendent and other administrators, review the performance of a teacher and determine whether it should consider the discharge of the teacher. A request".

Amendment H—4093 was adopted.

Spear of Lee offered the following amendment H—4105, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4105

Amend the amendment H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 36, by striking the word "reasons" and inserting in lieu thereof the word "reason".
2. Page 1, line 39, by striking the word "reasons" and inserting in lieu thereof the word "reason".
3. Page 2, line 9, by striking the word "reasons" and inserting in lieu thereof the word "reason".
4. Page 4, line 11, by striking the word "reasons" and inserting in lieu thereof the word "reason".
5. Page 4, line 30, by striking the word "reasons" and inserting in lieu thereof the word "reason".
6. Page 8, line 38, by striking the word "reasons" and inserting in lieu thereof the word "reason".
7. Page 8, line 41, by striking the word "reasons" and inserting in lieu thereof the word "reason".
8. Page 9, line 5, by striking the word "reasons" and inserting in lieu thereof the word "reason".

Amendment H—4105 was adopted.

Spear of Lee offered the following amendment H—4092, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4092

Amend the amendment H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 36, by striking the word "which" and inserting in lieu thereof the words ". The notification".

Amendment H—4092 was adopted.

Krewson of Polk in the chair at 5:47 p.m.

Spear of Lee offered the following amendment H—4088, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4088

Amend the amendment H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 1, line 50 through page 2, line 1, and inserting in lieu thereof the following: "conference was requested and the board has held the conference with the teacher, the board shall complete its consideration in".

Amendment H—4088 was adopted.

Copenhaver of Buchanan offered amendment H—4089, to amendment H—4059, filed by him from the floor and requested division as follows:

H—4089

Amend the amendment, H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

H—4089A

1. Page 2, by striking lines 19 through 29 and inserting in lieu thereof the following:

"The board shall have the exclusive jurisdiction to initiate discharge proceedings and the proceedings under this section and sections 279.17 and 279.18 shall be the exclusive appeal of the board's decision."

H—4089B

2. Page 5, by striking lines 37 through 39, and inserting in lieu thereof the following: "presentation of necessary evidence to implement an award."

H—4089A

3. Page 8, by striking lines 3 and 4 and inserting in lieu thereof the following: "a violation of a collective bargaining agreement."

Copenhaver of Buchanan moved the adoption of amendment H—4089A.

Roll call was requested by Hughes of Union and Shoultz of Black Hawk.

On the question "Shall amendment H—4089A be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carl
Copenhaver	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Knapp	Lageschulte	Maulsby	McIntee
Menke	Paulin	Renken	Rensink
Royer	Schnekloth	Schroeder	Skow
Spear	Stromer	Stueland	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden
Zimmerman			

The nays were, 55:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Davitt	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Haverland	Holveck	Hughes	Jay
Jochum	Koenigs	Lloyd-Jones	Lonergan
McKean	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Parker	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Sturgeon	Sullivan	Swartz	Swearingen
Varn	Woods	Mr. Speaker (Krewson)	

Absent or not voting, 8:

Baxter	Carpenter	Doderer	O'Kane
Pavich	Pellett	Tabor	Tofte

Amendment H—4089A lost.

Ollie of Clinton offered the following amendment H—4102, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4102

Amend the amendment H—4059 to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, line 9, by inserting after the word "public" the word "employment".

Amendment H—4102 was adopted.

Spear of Lee offered the following amendment H—4091, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4091

Amend the amendment H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, line 23, by striking the word "may" and inserting in lieu thereof the word "shall".

Amendment H—4091 was adopted.

Spear of Lee offered the following amendment H—4095, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4095

Amend the amendment H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, line 7, by striking the words "or designees" and inserting in lieu thereof the words "and representatives".

2. Page 4, line 8, by striking the words "superintendent or designee" and inserting in lieu thereof the words "the superintendent and a representative".

Amendment H—4095 was adopted.

Copenhaver of Buchanan offered the following amendment H—4104, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4104

Amend H—4059 to Senate File 448 as follows:

1. Page 4, line 32 by striking the word "duties" and inserting in lieu thereof the word "duties."

2. Page 4, by striking line 33.

Roll call was requested by Hughes of Union and Groth of Buena Vista.

On the question "Shall amendment H—4104 be adopted?"

The ayes were, 31:

Anderson	Bennett	Branstad	Clark
Copenhaver	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Maulsby	Paulin	Renken
Rensink	Royer	Schnekloth	Spear
Stromer	Stueland	Torrence	Van Camp
Van Gerpen	Van Maanen	Welden	

The nays were, 65:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Cochran
Connolly	Connors	Cooper	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Skow
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Varn	Woods	Zimmerman
Mr. Speaker (Krewson)			

Absent or not voting, 4:

Baxter	Pavich	Pellett	Tofte

Amendment H—4104 lost.

Speaker Avenson in the chair at 6:43 p.m.

Spear of Lee offered the following amendment H—4087, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4087

Amend the amendment H—4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 5, lines 6 and 7, by inserting after the word "ascertain" the words "the pertinent facts".

Amendment H—4087 was adopted.

The House resumed consideration of amendment H—4089B.

On motion by Copenhaver of Buchanan, amendment H—4089B was adopted.

Spear of Lee offered the following amendment H–4096, to amendment H–4059, filed by him from the floor and moved its adoption:

H–4096

Amend the amendment H–4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 5, by striking lines 44 through 46 and inserting in lieu thereof the following: "the decision is rejected. The board may reject the decision in open meeting by a majority, roll call vote entered into the minutes of the meeting."

Amendment H–4096 was adopted.

Spear of Lee offered the following amendment H–4090, to amendment H–4059, filed by him from the floor and moved its adoption:

H–4090

Amend the amendment H–4059, to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 7, by striking line 26 and inserting in lieu thereof the following: "before ~~the board and~~ the ~~adjudicator~~ hearing officer".

Amendment H–4090 was adopted.

Spear of Lee offered the following amendment H–4107, to amendment H–4059, filed by him from the floor and moved its adoption:

H–4107

Amend amendment H–4059 to Senate File 448 as amended, passed, and reprinted by the Senate, as follows:

1. Page 8, by striking lines 33 through 35 and inserting in lieu thereof the following:

"3. The board in closed session may review the performance of an administrator without a request by the administrator and determine whether it should consider discharge of the administrator. If the board determines".

Amendment H–4107 was adopted.

Spear of Lee offered the following amendment H—4099, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4099

Amend the amendment H—4059 to Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 8, by striking lines 45 and 46 and inserting in lieu thereof the following: "if a private conference was requested and the board has held the conference with the administrator, the board shall".

Amendment H—4099 was adopted.

Spear of Lee offered the following amendment H—4101, to amendment H—4059, filed by him from the floor and moved its adoption:

H—4101

Amend the amendment H—4059 to Senate File 448 as amended, passed, and reprinted by the Senate, as follows:

1. Page 9, line 41, by inserting after the figure "279.17." the following: "However, if the superintendent is the employee under section 279.17, the board may designate another person to be present throughout the hearing."

Amendment H—4101 was adopted.

Hanson of Delaware offered the following amendment H—4109, to amendment H—4059, filed from the floor by Hanson, Carpenter and Corey and moved its adoption:

H—4109

Amend amendment H—4059 to Senate File 448 as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 10, line 44 through page 11, line 4.

Roll call was requested by Lageschulte of Bremer and Corey of Louisa.

On the question "Shall amendment H—4109 be adopted?"

The ayes were, 44:

Anderson	Bennett	Branstad	Buhr
Carpenter	Carter	Clark	Copenhaver
Corey	Daggett	De Groot	Diemer
Doderer	Grandia	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Hummel	Lageschulte
Maulsby	McIntee	Menke	Paulin
Renken	Rensink	Royer	Schnekloth
Schroeder	Sherzan	Spear	Stromer
Stueland	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 51:

Arnould	Black	Blanshan	Brammer
Carl	Chapman	Chiodo	Cochran
Connors	Cooper	Davitt	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Peick	Poncy	Renaud
Rosenberg	Running	Shoultz	Skow
Sturgeon	Sullivan	Swartz	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 5:

Baxter	Connolly	Pavich	Pellett
Tofte			

Amendment H—4109 lost.

Shoultz of Black Hawk moved the adoption of amendment H—4059, as amended.

Roll call was requested by Shoultz of Black Hawk and Varn of Johnson.

On the question "Shall amendment H—4059, as amended, be adopted?"

The ayes were, 69:

Arnould	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connors	Cooper	Copenhaver
Daggett	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Haverland	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Peick	Poncy
Renaud	Rosenberg	Running	Schroeder
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 25:

Anderson	Bennett	Corey	De Groot
Diemer	Grandia	Halvorson, R. A.	Hanson
Harbor	Hermann	Hummel	Maulsby
Menke	Paulin	Renken	Rensink
Royer	Schnekloth	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Gerpen
Van Maanen			

Absent or not voting, 6:

Baxter	Connolly	Knapp	Pavich
Pellett	Tofte		

Amendment H—4059 was adopted, placing the following amendments out of order:

H—3584 (previously deferred) filed by the committee on education on April 8, 1983.

H—3631 (Page 1) filed by Carpenter of Polk on April 11, 1983.

H—3700 (Page 4) filed by Shoultz of Black Hawk on April 12, 1983.

H—3703 (Page 1) filed by Shoultz of Black Hawk on April 12, 1983.

H—3726 (Page 12) filed by Varn of Johnson on April 13, 1983.

H—3737 (Page 14) filed by Haverland of Polk on April 13, 1983.

H—3738 (Page 4) filed by Haverland of Polk on April 13, 1983.
H—3739 (Page 12) filed by Haverland of Polk on April 13, 1983.
H—3740 (Page 6) filed by Haverland of Polk on April 13, 1983.
H—3741 (Page 4) filed by Copenhaver of Buchanan on April 13, 1983.
H—3742 (Page 2) filed by Copenhaver of Buchanan on April 13, 1983.
H—3743 (Page 1) filed by Copenhaver of Buchanan on April 13, 1983.
H—3744 (Page 10) filed by Copenhaver of Buchanan on April 13, 1983.
H—3752 (Page 2) filed by Haverland of Polk on April 13, 1983.
H—3753 (Page 12) filed by Haverland of Polk on April 13, 1983.

Shoultz of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 448)

The ayes were, 64:

Arnould	Black	Brammer	Buhr
Carl	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Hanson	Haverland	Hoffmann-Bright	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Schroeder	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 32:

Anderson	Bennett	Blanshan	Branstad
Carpenter	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Harbor	Hermann	Hummel	Lageschulte
Maulsby	Menke	Paulin	Renken
Rensink	Royer	Schnekloth	Skow

Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

Absent or not voting, 4:

Baxter	Pavich	Pellett	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 448)

Norland of Worth asked and received unanimous consent to immediately message Senate File 448 to the Senate.

Branstad of Winnebago in the chair at 7:52 p.m.

SENATE AMENDMENT CONSIDERED

Groth of Buena Vista called up for consideration **House File 532,** a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation, amended by the Senate amendment H–4002 as follows:

H–4002

Amend House File 532, as amended, passed and reprinted by the House, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. NEW SECTION. 257.31 SOFTWARE CLEARINGHOUSE.

1. The state board of public instruction under its authority granted in section 257.10, subsection 14, shall establish a computer software clearinghouse for instructional purposes to perform the following services for school districts, area education agencies, and merged area schools in this state:

a. Acquire computer programs based upon curricular needs of educational agencies.

b. Evaluate computer programs as to their appropriateness to educational programs used in this state.

c. Catalog and organize computer programs.

d. Reproduce and distribute computer programs.

e. Provide for the development of appropriate

educational materials to accompany the computer programs.

2. The state board shall establish a committee to coordinate the activities of the clearinghouse. The members of the committee shall meet as often as necessary to accomplish their duties and shall receive reimbursement for travel and necessary expenses from funds appropriated in this section.

The committee may negotiate agreements with public and private agencies in order to perform the services listed in subsection 1 and may charge users of the services listed in subsection 1 reproduction costs and other costs associated with the services.

3. There is appropriated from the general fund of the state to the department of public instruction, for the fiscal year beginning July 1, 1984 and each fiscal year thereafter, the sum of two hundred fifty thousand (250,000) dollars, or so much thereof as is necessary, to fund the computer software clearinghouse.

Sec. 2. NEW SECTION. 261.5 GUARANTEED LOAN PAYMENT PROGRAM. There is established a guaranteed student loan payment program to be administered by the commission. An individual who meets all of the following conditions is eligible for reimbursement payments under the program if the individual:

1. Is a teacher employed on a full-time basis under sections 279.13 through 279.19 in a school district in this state or is a teacher in an approved nonpublic school in this state.

Page 2

2. Has an outstanding debt with an eligible lender under the Iowa guaranteed student loan program as of the beginning of a school year.

3. Has never defaulted on a loan guaranteed by the commission or by the federal government.

4. Teaches one or more of the following during that school year:

a. A sequential mathematics course at the advanced algebra level or higher.

b. A chemistry, advanced chemistry, physics or advanced physics course.

5. Graduated from college after January 1, 1983 with a major in mathematics or science.

The commission shall adopt rules under chapter 17A to provide for the administration of this program.

Annually, commencing July 1, 1983, there is appropriated from the general fund of the state to the Iowa college aid commission an amount sufficient

to make the reimbursement payments required under this section.

Annual reimbursement payments to an eligible teacher for loan repayments made during a school year shall be equal to one thousand dollars or the remainder of a loan, whichever is less. Total payments for an eligible teacher shall not exceed six thousand dollars. If a teacher fails to complete a year of instruction in a course listed in subsection 4, the teacher shall not be reimbursed for loan repayments made during that school year.

Sec. 3. Section 442.39, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. A school district receiving additional funds under subsection 2 for its pupils at the ninth grade level and above that are enrolled in sequential mathematics courses at the advanced algebra level and above; chemistry, advanced chemistry, physics or advanced physics courses; or foreign language courses at the second year level and above shall have an additional weighting of one pupil added to its total.

Sec. 4. NEW SECTION. 442.44 APPROPRIATION FOR SPECIAL COURSES. The state comptroller shall pay to each school district in this state an amount equal to fifty dollars times the sum of the number of pupils enrolled for the entire school year on a full-time equivalent basis for the course in the following:

1. Foreign language courses at the second year level and above.

2. Sequential mathematics courses at the advanced algebra level and above.

Page 3

3. Chemistry, advanced chemistry, physics, and advanced physics courses.

Payment for a budget year shall be determined on the basis of the full-time equivalent enrollment in the courses for the base year.

The department of public instruction shall adopt rules under chapter 17A to carry out this section.

For the school year beginning July 1, 1984 and each succeeding school year, there is appropriated from the general fund of the state to the state comptroller an amount sufficient to make the payments to school districts required by this section. Moneys received by a school district under this section are miscellaneous income.

It is the intent of the general assembly that at least one-half of the additional moneys received by

a school district under this section shall be used to pay for teacher in-service programs and teacher retraining programs in the areas of mathematics, science, and foreign languages and the remainder shall be used to pay for improvement of courses specified in this section.

Sec. 5. This Act, being deemed of immediate importance, takes effect from and after its publication in the Waterloo Courier, a newspaper published in Waterloo, Iowa, and in the LeMars Daily Sentinel, a newspaper published in LeMars, Iowa."

2. Title page, lines 1 and 2, by striking the words "for teachers of" and inserting in lieu thereof the words "relating to".

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4074, to the Senate amendment H—4002, filed by him on May 6, 1983.

Groth of Buena Vista offered the following amendment H—4081, to the Senate amendment H—4002, filed by him and moved its adoption:

H—4081

Amend the Senate amendment, H—4002, to House File 532, as amended, passed, and reprinted by the House, as follows:

1. Page 2, by striking lines 16 through 18 and inserting in lieu thereof the following:

"There is appropriated from the general fund of the state to the Iowa college aid commission, the sum of thirty thousand (30,000) dollars, or as much thereof as is necessary, for the fiscal year beginning July 1, 1983, and the sum of sixty thousand (60,000) dollars, or as much thereof as is necessary, for the fiscal year beginning July 1, 1984 and each succeeding fiscal year,".

2. Page 2, line 21, by striking the word "Annual" and inserting in lieu thereof the words "Maximum annual".

3. Page 2, line 32, by striking the word "A" and inserting in lieu thereof the words and figure "For the school year beginning July 1, 1983 and succeeding school years, a".

4. By striking page 2, line 46 through page 3, line 2, and inserting in lieu thereof the following: "equivalent basis in foreign language courses at the first-year level and twenty-five dollars times the sum of the number of pupils enrolled for the entire

school year on a full-time equivalent basis in sequential mathematics courses at the advanced algebra level and above and in chemistry, advanced chemistry, physics and advanced physics courses."

5. Page 3, line 14, by inserting after the word "income." the following: "Moneys received by a school district for pupils enrolled in science and mathematics courses shall be used only for purchase of equipment and supplies."

6. Page 3, by striking lines 15 through 22.

7. Page 3, by inserting after line 22 the following:

"Sec. . Section 261.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Prepare and administer the Iowa science and mathematics loan program under this chapter.

Sec. . NEW SECTION. 261.28 SCIENCE AND MATHEMATICS LOAN PROGRAM. The Iowa science and mathematics loan program is established to be administered by the commission. The purpose of the loan program is to assist teachers to obtain or to upgrade their teaching authorization in the areas of science or mathematics. The commission shall adopt rules under chapter 17A, in consultation with the

Page 2

board of educational examiners, to administer the program. The rules shall provide that loans not be granted to teachers for the purpose of improving their knowledge of subject content or teaching skills in order to teach courses in subject matter areas for which they possess approval granted by the board of educational examiners. The rules shall also provide that priority for loans be given to teachers possessing minimal qualifications for teaching science or mathematics.

Sec. . NEW SECTION. 261.29 LOANS TO TEACHERS. Loans may be granted only to a person possessing a valid teacher's certificate issued under chapter 260. The annual amount of a loan to a teacher enrolled as a full-time student shall not exceed one thousand dollars for the fiscal year beginning July 1, 1983 and one thousand five hundred dollars for each succeeding fiscal year, or the total amount of tuition and fees, whichever is less. The annual amount of a loan to a teacher enrolled on at least a half-time basis shall not exceed five hundred dollars for the fiscal year beginning July 1, 1983 and seven hundred fifty dollars for each succeeding fiscal year, or the total amount of tuition and fees, whichever is

less. Loans may be made for courses in programs offered in this state and approved by the board of educational examiners. The board of educational examiners shall adopt rules pursuant to chapter 17A for approval of programs. The rules shall require that the programs provide training in both subject content and teaching methodology for mathematics and science teaching.

The commission shall set a final date for submission of applications each year and shall review the applications and inform the recipients within a reasonable time after the deadline.

Sec. . NEW SECTION. 261.30 APPROPRIATIONS.

There is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1983 the sum of forty thousand (40,000) dollars, or as much thereof as is necessary, and for each succeeding fiscal year, the sum of one hundred forty thousand (140,000) dollars, or as much thereof as is necessary, to make loans under sections 261.28 and 261.29.

Sec. . NEW SECTION. 261.31 REPAYMENT.

Repayment of the loan shall begin one year after the teacher completes the educational program for which tuition and fees are received. If a teacher submits evidence to the commission that the teacher was

Page 3

employed as a teacher of one or more science or mathematics courses or as an elementary teacher teaching science and mathematics in a public school district or nonpublic school in this state during that year, fifty percent of the amount of the loan is canceled.

At the end of the second year, if the teaching requirements are met, the remainder of the loan is forgiven and payments made by that teacher during the year shall be refunded to the teacher.

There is created a science and mathematics loan repayment fund for deposit of payments made by teachers. Refunds of payments by teachers shall be paid by the commission to the teachers from the fund created in this section. Payments made by teachers that are not refunded shall be transferred on each June 30 from the fund created in this section to the general fund of the state.

The interest rate collected on the loan shall be equal to the interest rate being collected by an eligible lender under the guaranteed student loan program.

The commission shall prescribe by rule the terms of repayment which shall provide for monthly payments of principal and interest of not less than seventy-five dollars.

Sec. . NEW SECTION. 257.27 PROGRAMS FOR IMPROVEMENT OF SCIENCE AND MATHEMATICS TEACHING. The department shall provide for the establishment of programs, approved by the board of educational examiners, for teachers to improve skills in teaching in the science and mathematics areas. Each program shall provide assistance to teachers in subject content and teaching methodology for science or mathematics.

The programs may be established through an area education agency or public or private institution of higher education in this state.

There is appropriated from the general fund of the state to the department of public instruction for the fiscal year beginning July 1, 1983, the sum of forty thousand (40,000) dollars or as much thereof as is necessary, and for the fiscal year beginning July 1, 1984, and each succeeding fiscal year, the sum of one hundred forty thousand (140,000) dollars, or as much thereof as is necessary, to be allocated for the establishment of programs under this section.

Sec. . Section 261.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Administer the supplemental grant program under this chapter.

Page 4

Sec. . NEW SECTION. 261.32 SUPPLEMENTAL GRANT PROGRAM. A person who graduates from a public or nonpublic high school in this state after January 1, 1984 who has successfully completed at least seven units of science and mathematics courses, and at least three of the seven units include sequential mathematics courses at the advanced algebra level or higher, chemistry, advanced chemistry, physics, or advanced physics courses, and who attends an eligible institution is eligible for a supplemental grant provided in this chapter.

The department of public instruction shall transmit to the commission a list of high school graduates who have successfully completed the courses required in this section.

For the purpose of this section and section 261.33, an eligible institution is an accredited private institution as defined in section 261.9, subsection 5, an institution of higher learning under the state

board of regents, or a merged area school established under chapter 280A.

Sec. . NEW SECTION. 261.33 PAYMENT OF GRANTS. A student meeting the requirements of section 261.32 may make application to the commission, on forms prescribed by the commission, for payment of a supplemental grant to an eligible institution in which the student is enrolled on a full-time basis. The maximum supplemental grant is five hundred dollars per year. Payment under the grant shall be allocated equally among the semesters or trimesters and shall be paid at the beginning of each semester or trimester upon certification by the eligible institution that the student is admitted as a full-time student and in attendance. If the student discontinues attendance before the end of a semester or trimester after receiving payment under the grant, the amount of refund due the student, up to the amount of payment under the grant, shall be paid by the eligible institution to the state.

An eligible student may receive a supplemental grant for two semesters of undergraduate study or the trimester equivalent.

The amount of a supplemental grant to a student shall not be considered when determining financial need under the Iowa tuition grant and Iowa scholarship programs.

Sec. . NEW SECTION. 261.34 APPROPRIATION. Commencing July 1, 1984, there is appropriated from the general fund of the state to the commission for each fiscal year the sum of one million five hundred

Page 5

thousand (1,500,000) dollars for supplemental grants."

8. Page 3, by inserting after line 30 the following:

" . Amend the title page, line 2, by striking the words "and mathematics" and inserting in lieu thereof the words ", mathematics, and foreign languages,".

9. By numbering sections as necessary.

Amendment H—4081 was adopted.

On motion by Groth of Buena Vista, the House concurred in the Senate amendment H—4002, as amended.

Speaker Avenson in the chair at 7:58 p.m.

Groth of Buena Vista 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. 532)

The ayes were, 91:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Poncy	Renaud	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Corey	Renken	Welden

Absent or not voting, 6:

Baxter	Haverland	Pavich	Pellett
Swartz	Tofte		

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 PREVAILED
(House File 514)

Chiodo of Polk called up for consideration the motion to recon-

sider House File 514, filed on April 27, 1983, and moved to reconsider the vote by which House File 514, a bill for an act amending the Iowa uniform securities Act, and providing a civil penalty, passed the House and was placed on its last reading on April 27, 1983.

A non-record roll call was requested.

The ayes were 80, nays 4.

The motion prevailed and the House reconsidered House File 514, placing out of order the motion to reconsider filed by Haverland of Polk on April 28, 1983.

Swearingen of Keokuk called up for consideration the motion to reconsider the Senate amendment H—3843 (found on page 1627 of the House Journal) filed by him on April 27, 1983 and moved to reconsider the vote by which the House concurred in the Senate amendment H—3843, as amended.

The motion prevailed and the House reconsidered the Senate amendment H—3843.

Chiodo of Polk offered amendment H—4111, to the Senate amendment H—3843, filed from the floor by him and Schroeder of Pottawattamie and requested division as follows:

H—4111

Amend the Senate amendment, H—3843, to House File 514, as amended, passed, and reprinted by the House, as follows:

H—4111A

1. Page 1, by striking lines 8 through 30.

H—4111B

2. Page 1, by inserting before line 31 the following:

" . Page 7, by inserting after line 20 the following:

"Sec.

1. The legislative council shall establish a joint interim subcommittee of the committees on commerce

of the senate and small business and commerce of the house to serve as an advisory committee on securities regulation.

2. The advisory committee on securities regulation shall review and study the desirability of merit review of securities and the structure, funding and staffing of the securities division of the Iowa department of insurance. The advisory committee shall hold at least one public hearing to seek public input.

3. The advisory committee shall report its findings and recommendations, including any proposed legislation, to the legislative council and the general assembly on or before January 15, 1984.

Sec. . Effective July 1, 1984, the new subsection added to section 502.209 by this Act is repealed and the following amendment to section 502.209, subsection 1, paragraphs e and h is enacted.

Sec. . Section 502.209, subsection 1, paragraphs e and h, Code 1983, are amended to read as follows:

e. The issuance or sale of the securities ~~is or would be unfair or inequitable to purchasers or~~ has worked or tended to work a fraud upon purchasers or would so operate;

h. The financial condition of the issuer affects or would affect the soundness of the securities; ~~or~~, except that applications for registration of securities by companies which are in the development stage shall not be denied based solely upon the financial condition of the company. For purposes of this rule, a "development stage company" is defined as a company which has been in existence for five years or less." "

3. Renumber as necessary.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H—4111A.

On motion by Chiodo of Polk, amendment H—4111B was adopted.

Swearingen of Keokuk asked and received unanimous consent to withdraw the motion to reconsider amendment H—3865A filed by him on April 27, 1983.

On motion by Chiodo of Polk, the House concurred in the Senate amendment H—3843, 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. 514)

The ayes were, 92:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 3:

Knapp	Krewson	McKean

Absent or not voting, 5:

Baxter	Haverland	Pavich	Pellett
Tofte			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES
(House Files 514 and 532)

Norland of Worth asked and received unanimous consent to immediately message House Files 514 and 532 to the Senate.

HOUSE FILE 490 WITHDRAWN

Rosenberg of Story asked and received unanimous consent to withdraw House File 490 from further consideration by the House.

HOUSE FILE 502 WITHDRAWN

Cochran of Webster asked and received unanimous consent to withdraw House File 502 from further consideration by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 313, a bill for an act establishing as the policy of the state that employees shall be paid at a rate based on comparable worth, providing for a study, and delaying the implementation of the policy.

Also: That the Senate has on May 9, 1983, 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 530, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Also: That the Senate has on May 9, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 549, a bill for an act relating to court structure and procedures by appropriating for certain court costs and for additional judicial salaries and support.

Also: That the Senate has on May 9, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 653, by committee on appropriations, a bill for an act to establish a job training partnership program and making an appropriation.

Read first time and referred to committee on **finance.**

House File 654, by committee on appropriations, a bill for an act relating to the regulation of radiation machines, radioactive materials and sources of nonionizing radiation and providing a civil penalty for violations.

Read first time and referred to committee on **finance.**

House File 655, by committee on ways and means, a bill for an act providing for an income tax deduction for income or rent received from the sale or lease of agricultural land to or interest received from a loan made to a beginning farmer, or the sale or lease of a revenue-producing enterprise to or interest received from a loan made to a beginning businessperson.

Read first time and referred to committee on **finance.**

House File 656, by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Read first time and referred to committee on **finance.**

SENATE MESSAGES CONSIDERED

Senate File 540, by committee on appropriations, a bill for an act relating to state payments by providing for payments in each fiscal year of homestead tax credits, extraordinary tax credits, mobile home tax credits, agricultural land tax credits, livestock tax credits, military tax credits, and personal property tax credits to the respective county treasurers by the state comptroller, by providing for obligation of state funds for goods and services delivered only during the fiscal year with certain exceptions, and by providing for monthly payments of funds to school districts under chapter 442.

Read first time and referred to committee on **finance.**

Senate File 549, by committee on appropriations, a bill for an act relating to court structure and procedures by appropriating for certain court costs, by increasing certain filing fees, by adding one member to the court of appeals, by allowing a division of the court of appeals to hear cases and petitions, by increasing the fee for filing and docketing a simple misdemeanor, and by appropriating funds for designated legal assistance services, for dispute resolution centers and for additional judicial salaries and support.

Read first time and referred to committee on **appropriations.**

Senate File 551, by committee on appropriations, a bill for an act relating to and making appropriations to state agencies for capital projects.

Read first time and referred to committee on **appropriations.**

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on May 6, 1983. Had I been present, I would have voted "nay" on Senate Joint Resolution 6.

OSTERBERG of Linn

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty fourth grade students from St. Theresa's Elementary School, Des Moines, accompanied by Diane McKillip, Barb Woods, Mrs. Palmer and Mrs. Green. By Holveck of Polk.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1983-21	City of Burlington — one hundred fiftieth anniversary of its founding
1983-22	Ann Oldorf — named outstanding student of Prairie High School of Cedar Rapids

1983-23 State Trooper Donald C. Woods — retirement after 28½ years as state trooper

1983-24 Marsha Yokas, Oelwein — won Drake Relays Marathon, Women's Division

1983-25 Ames Senior High School Chess Team — state high school chess championship

1983-26 Town of Jolley — centennial

1983-27 Town of Schaller — centennial

JOSEPH O'HERN
Chief Clerk of 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, to establish a job training partnership program and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 9, 1983.

Committee Bill, appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 9, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 649, a bill for an act relating to action by the board of parole concerning parole interviews and parole revocations.

Fiscal Note is not required.

Committee Action: **Failed to Pass** May 9, 1983.

COMMITTEE ON FINANCE

House File 648, a bill for an act to impose the sales and use tax on the retail sale of newspapers, repealing the sales and use tax on the newsprint and ink, and repealing the provisions which provide that the distribution of free newspapers and shoppers guides is a retail sale.

Fiscal Note is required.

Recommended **Do Pass** May 9, 1983.

House File 650, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to file for exemption from property taxes for a designated tax year.

Fiscal Note is not required.

Recommended **Do Pass** May 9, 1983.

House File 653, a bill for an act to establish a job training partnership program and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** May 9, 1983.

House File 656, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Fiscal Note is not required.

Recommended **Do Pass** May 9, 1983.

Senate File 527, a bill for an act relating to the impact of state legislative and administrative actions by requiring fiscal notes on bills, joint resolutions, and administrative rules, by providing for the payment of interest on unpaid claims against the state treasury, by requiring notice of proposed rules.

Fiscal Note is required.

Recommended **Do Pass** May 9, 1983.

Senate File 540, a bill for an act relating to state payments by providing for payments in each fiscal year of homestead tax credits, extraordinary tax credits, mobile home tax credits, agricultural land tax credits, livestock tax credits, military tax credits, and personal property tax credits to the respective county treasurers by the state comptroller, by providing for obligation of state funds for goods and services delivered only during the fiscal year with certain exceptions, and by providing for monthly payments of funds to school districts under chapter 442.

Fiscal Note is not required.

Recommended **Do Pass** May 9, 1983.

Senate File 541, a bill for an act relating to the codified provisions of the department of social services for the medical assistance program; the child day care facility program; the aid to dependent children program; the child support and foster care recovery programs, including provisions relating to support recoveries for persons who are not public assistance recipients; the state supplementary assistance program; and the dependent adult abuse program.

Fiscal Note is not required.

Recommended **Do Pass** May 9, 1983.

Senate File 546, a bill for an act relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the federal fiscal year beginning October 1, 1982 and ending September 30, 1983.

Fiscal Note is not required.

Recommended **Do Pass** May 9, 1983.

Committee Bill (Formerly Study Bill 344), to authorize the job service appeal board to employ an administrative officer.

Fiscal Note is not required.

Recommended **Do Pass** May 9, 1983.

AMENDMENTS FILED

H—4100	H.F.	627	Senate Amendment
H—4106	S.F.	530	Senate Amendment
H—4110	S.F.	533	Groth of Buena Vista
H—4112	S.F.	533	Osterberg of Linn Branstad of Winnebago Koenigs of Mitchell Oxley of Linn McIntee of Black Hawk
H—4113	H.F.	313	Senate Amendment

On motion by Norland of Worth, the House adjourned at 8:17 p.m., until 9:00 a.m., Tuesday, May 10, 1983.

JOURNAL OF THE HOUSE

One Hundred Twenty-first Calendar Day—Seventy-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 10, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable Lester Menke, state representative from O'Brien County.

The Journal of Monday, May 9, 1983 was approved.

PETITION FILED

The following petition was received and placed on file:

By Hermann of Scott, from eighty-five constituents opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation.

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 6, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 621, a bill for an act removing the aggregate taxable values of real estate in a school district from a county assessor's annual abstract of real and personal property.

Also: That the Senate has on May 10, 1983, 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 23, a bill for an act relating to the payment of property taxes by a taxpayer.

Also: That the Senate has on May 9, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 548, a bill for an act relating to improving the Iowa economy and providing improved employment for unemployed Iowans.

Also: That the Senate has on May 10, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 552, a bill for an act relating to the date of precinct caucuses of the political parties.

Also: That, on May 9, 1983, pursuant to Joint Rule 13, Sub. 2, the conference committee report to Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax was considered not eligible, and the members of the second conference committee, on the part of the Senate, appointed May 10, 1983, are: The Senator from Polk, Senator Palmer, Chair; the Senator from Story, Senator Bruner; the Senator from Pottawattamie, Senator Hester; the Senator from Marshall, Senator Lura; and the Senator from Johnson, Senator Small.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 548, by committee on finance, a bill for an act for the purpose of improving the Iowa economy and providing improved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa development commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and water conservation practices, authorizing the Iowa department of transportation to issue and become obligated for road use tax revenue bonds, appropriating funds for the purpose of providing state matching funds for the Title III dislocated workers program of the Jobs Training Partnership Act, and making various appropriations to carry out the programs.

Read first time and referred to committee on **finance.**

ADOPTION OF SENATE CONCURRENT RESOLUTION 37

Norland of Worth called up for consideration Senate Concurrent Resolution 37, to deliver unadopted resolutions for interim studies to the legislative council, received from the Senate on May 6, 1983 and found on pages 1850 and 1851 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 30

By Groth, Ollie, Daggett, Poncy, Shoultz, Connolly, Jay, Carl, Haverland, Hughes, Spear, Branstad, Maulsby, Van Gerpen, Varn, Carter, Buhr, Krewson, Swearingen, Rosenberg and Zimmerman

Whereas, Iowa has traditionally been a leader in its commitment to education; and

Whereas, Iowans expect the legislature to maintain the state's national leadership in educational quality; and

Whereas, recent state and national economic and social trends have subjected Iowa's schools to great stress. These trends include declining enrollment, revenue shortages, demands for increased programming, and demands from an economic system increasingly dependent on technology; and

Whereas, the report of the National Commission on Excellence in Education has called attention to needed reforms in our nation's school curricula, and teacher selection, training, and compensation; and

Whereas, it is becoming increasingly difficult to employ personnel in specialized positions in schools, such as mathematics, science, industrial arts, extra curricular activities, and others; and

Whereas, the federal government continues to withdraw from financial support and active leadership in education; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Legislative Council is urged to establish a joint subcommittee composed of members of both political parties of the Senate and House Committees on Education to conduct a comprehensive study of school curricula, teacher selection and training, teacher certification, the results and recommendations of the Presidential Task

Page 2

Force on Educational Excellence, and related topics. This subcommittee shall be charged with studying means and making recommendations for the assurance of Iowa's educational quality throughout this decade; and

Be It Further Resolved, That the joint subcommittee shall make a report of its recommendations, accompanied by legislative bill drafts to implement the recommendations, to the Legislative Council, and to the General Assembly meeting in 1984.

Laid over under Rule 25.

The House stood at ease at 9:38 a.m., until the fall of the gavel.

The House resumed session at 1:54 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pellett of Cass on request of Stueland of Clinton.

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, 1983, insisted on its amendment to House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management, and the members of the conference committee, on the part of the Senate, are: The Senator from Linn, Senator Hall, Chair; the Senator from Black Hawk, Senator Gallagher; the Senator from Pottawattamie, Senator Hester; the Senator from Kossuth, Senator Priebe; and the Senator from Osceola, Senator Vande Hoef.

Also: That the Senate has on May 10, 1983, 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 532, a bill for an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Also: That the Senate has on May 10, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 538, a bill for an act prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILL

House File 657, by committee on finance, a bill for an act to authorize the job service appeal board to employ an administrative officer.

Read first time and placed on the **calendar.**

SENATE MESSAGE CONSIDERED

Senate File 552, by Junkins and Hultman, a bill for an act relating to the date of precinct caucuses of the political parties.

Read first time and referred to committee on **state government.**

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 541 and 546.

CONSIDERATION OF BILLS
Appropriations Calendar

Senate File 541, a bill for an act relating to the codified provisions of the department of social services for the medical assistance program; the child day care facility program; the aid to dependent children program; the child support and foster care recovery programs, including provisions relating to support recoveries for persons who are not public assistance recipients; the state supplementary assistance program; and the dependent adult abuse program, with report of committee recommending passage was taken up for consideration.

Carl of Poweshiek moved that the bill be read a last time 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. 541)

The ayes were, 93:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	McIntee
McKean	Menke	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Van Camp	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 5:

Grandia	Lonergan	Maulsby	Torrence
Van Maanen			

Absent or not voting, 2:

Pavich	Pellett

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 546, a bill for an act relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the

federal fiscal year beginning October 1, 1982 and ending September 30, 1983, with report of committee recommending amendment and passage was taken up for consideration.

Carl of Poweshiek offered the following amendment H—4078 filed by the committee on appropriations and moved its adoption:

H—4078

Amend Senate File 546 as passed by the Senate, as follows:

1. Page 3, line 18, by striking the figure "8" and inserting in lieu thereof the figure "9".

The committee amendment H—4078 was adopted.

Carl of Poweshiek moved that the bill be read a last time 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. 546)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Pavich Pellett

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate Files 541 and 546)

Norland of Worth asked and received unanimous consent to immediately message Senate Files 541 and 546 to the Senate.

SENATE AMENDMENTS CONSIDERED

Renaud of Polk called up for consideration **Senate File 530**, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4106 to the House amendment:

H—4106

Amend the House amendment, S—3812 to Senate File 530 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 3, by inserting after the word "Sec." the figure "20".

2. Page 2, by inserting after line 19 the following:

"c. The insurance coverage is not provided by the state."

3. Page 2, by inserting after line 35 the following:

" . Page 7, by inserting after line 16 the following:

"Sec. . Section 20 of this Act takes effect January 1, 1984." "

The motion prevailed and the House concurred in the Senate amendment H—4106.

Renaud 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.

On the question "Shall the bill pass?" (S.F. 530)

The ayes were, 83:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Diemer	Doderer	Fey	Fogarty
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Poncy
Renaud	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Van Camp	Van Gerpen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 13:

Branstad	Daggett	De Groot	Grandia
Handorf	Knapp	Maulsby	Renken
Rensink	Spear	Tofte	Torrence
Van Maanen			

Absent or not voting, 4:

Davitt	Groninga	Pavich	Pellett

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Doderer of Johnson called up for consideration **House File 313,** a bill for an act establishing as the policy of the state that employees shall be paid at a rate based on comparable worth, providing for a study, and delaying the implementation of the policy, amended by the Senate, and moved that the House concur in the following Senate amendment H–4113:

H–4113

Amend House File 313, as amended, passed, and reprinted by the House, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. 79.17 COMPENSATION BASED ON COMPARABLE WORTH. It is the policy of this state that a state department, board, commission, or agency shall not discriminate in compensation for work of comparable worth between jobs held predominantly by women and jobs held predominantly by men. "Comparable worth" means the value of work as measured by the composite of the skill, effort, responsibility, and working conditions normally required in the performance of work.

Sec. 2. A study shall be conducted for the purpose of establishing an evaluation of jobs under the merit employment system on the basis of their comparable worth, with particular attention given to jobs predominantly held by women and jobs predominantly held by men. As used in this section, "comparable worth" means the value of work as measured by the composite of skill, effort, responsibility, and working conditions normally required in the performance of work.

The study shall be conducted within the limits of available funds and personnel and shall be supervised by the Iowa merit employment department. State agencies charged with the responsibility of administering various payroll systems shall cooperate with the Iowa merit employment department in helping to carry out the study. Within the limits of available funds, a contract with an independent, private firm having expertise in personnel administration shall be negotiated to conduct the study.

The legislative council shall appoint six persons to serve on a steering committee for the study, and the governor shall appoint a seventh member to the steering committee. The director of the Iowa merit employment department, the director of the Iowa civil rights commission, and the director of the Iowa commission on the status of women or their designees shall serve as advisors to the steering committee. The steering committee shall be responsible for approving the final form of any request for proposal for a contract with a private firm to perform the study, and shall select the private firm to conduct the study from those firms submitting proposals.

In consultation with the Iowa merit employment department, the steering committee shall establish guidelines for carrying out the study and shall

Page 2

establish a date for the completion of the study. The steering committee shall be furnished with data from the study and progress reports on the study, as the steering committee deems necessary. The final report of the study shall be submitted to the steering committee, the legislative council, and the governor.

The Iowa merit employment department shall develop and submit to the governor and the legislative council an estimate of the appropriations necessary to implement the comparability adjustments for employees under the Iowa merit employment system as presented in the final report of the study.

Sec. 3. This Act shall not serve as a limitation on the provisions of chapter 601A but it shall be construed in harmony with chapter 601A and shall be construed liberally to effectuate its purpose.

Sec. 4. This Act, being deemed of immediate importance, takes effect from and after its publication in The Jefferson Bee, a newspaper published in Jefferson, Iowa, and the West Des Moines Express, a newspaper published in West Des Moines, Iowa. However, section 1 of this Act does not take effect until July 1, 1984."

The motion prevailed and the House concurred in the Senate amendment H—4113.

Doderer of Johnson 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. 313)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes

Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Pavich	Pellett

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 533 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 533 be temporarily deferred and that the bill retain its place on the calendar.

Regular Calendar

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of **Senate File 527**, a bill for an act relating to the impact of state legislative and administrative actions by requiring fiscal notes on bills, joint resolutions, and administrative rules, by providing for the payment of interest on unpaid claims against the state treasury, by requiring notice of proposed rules, with report of committee recommending passage.

Spear of Lee offered the following amendment H–4120 filed by him from the floor and moved its adoption:

H–4120

1 Amend the Senate File 527 as amended, passed, and

reprinted by the Senate, as follows:

1. Page 1, line 3, by striking the words "FINDINGS AND".

2. Page 1, by striking lines 4 through 17.

3. Page 1, line 18, by striking the number "2."

4. Page 1, by striking lines 22 through 24 and inserting in lieu thereof the words "increased expenditures by political subdivisions."

5. Page 1, by striking lines 30 through 34 and inserting in lieu thereof the following: "after January 1, 1984, which requires one or more political subdivisions of the state to establish, expand, or modify their activities in a manner which necessitates additional local revenue expenditures of more than one hundred thousand dollars annually or a combined total of more than five hundred thousand dollars within five years after the requirement is effective."

6. Page 2, by striking lines 1 through 3 and inserting in lieu thereof the following: "During January, 1985, and January of each succeeding year, the state comptroller shall report to the governor and the general assembly regarding state mandates imposed the preceding year and the administration of this chapter including any proposed changes."

7. Page 2, line 13, by inserting after the word "imposed." the words "The lack of a cost estimate as provided in this section does not affect legislative consideration or enactment of a bill or joint resolution imposing a state mandate."

8. Page 2, by striking lines 14 through 20 and inserting in lieu thereof the following:

"Sec. 6. NEW SECTION. 25B.6 STATE ADMINISTRATIVE RULES.

1. A state administrative rule relating directly to political subdivisions which necessitates additional expenditures by political subdivisions beyond that which are explicitly provided by state law shall not be adopted until a fiscal note outlining the additional expenditures is prepared by the legislative fiscal bureau and published in the Iowa administrative bulletin.

2. If a state administrative rule is adopted or implemented without notice or public participation pursuant to section 17A.4, subsection 2, or 17A.5, subsection 2, paragraph b, a fiscal note shall be prepared by the legislative fiscal bureau and published in the Iowa administrative bulletin within ninety days of the effective date of the state administrative rule."

Page 2

1 9. By striking page 2, line 23 through page 3,
2 line 4.
3 10. Page 3, by striking lines 17 and 18.
4 11. Amend the title, by striking lines 3 through
5 6 and inserting in lieu thereof the words "bills,
6 joint resolutions, and administrative rules."

A non-record roll call was requested.

The ayes were 22, nays 69.

Amendment H–4120 lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H–3849 filed by him on April 25, 1983.

O'Kane 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. 527)

The ayes were, 92:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Hammond	Handorf
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Poncy	Renaud
Rensink	Rosenberg	Royer	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence

Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 6:

Halvorson, R. N.	Hanson	Renken	Running
Spear	Tofte		

Absent or not voting, 2:

Pavich	Pellett

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 527)

Norland of Worth asked and received unanimous consent to immediately message Senate File 527 to the Senate.

Appropriations Calendar

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of **House File 653**, a bill for an act to establish a job training partnership program and making an appropriation.

The House stood at ease at 3:00 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 653 at 4:17 p.m., Speaker Avenson in the chair.

Sturgeon of Woodbury offered the following amendment H–4119 filed by him from the floor and moved its adoption:

H–4119

Amend House File 653 as follows:
1. Page 4, by striking lines 6 and 7 and inserting in lieu thereof the following: "an annual report on the effectiveness of the state job training".

Amendment H–4119 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the day, on request of Bennett of Ida.

The House stood at ease at 4:20 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 653 at 4:32 p.m., Connors of Polk in the chair.

Carpenter of Polk offered the following amendment H–4136 filed by her from the floor and moved its adoption:

H–4136

Amend House File 653 as follows:
1. By striking page 4, line 28 through page 5 line 14.
2. By renumbering as necessary.

Roll call was requested by Carpenter of Polk and Running of Linn.

Rule 76 was invoked.

On the question "Shall amendment H–4136 be adopted?"

The ayes were, 42:

Anderson	Bennett	Brammer	Branstad
Buhr	Carpenter	Clark	Corey
Daggett	Davitt	De Groot	Diemer
Grandia	Groth	Gruhn	Halvorson, R. A.
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	Menke	Paulin	Peick
Renken	Rensink	Royer	Running
Schnekloth	Schroeder	Stromer	Swearingen
Torrence	Van Camp	Van Gerpen	Van Maanen
Welden	Woods		

The nays were, 54:

Arnould	Avenson	Baxter	Black
Blanshan	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Cooper

Copenhaver	Doderer	Fey	Fogarty
Groninga	Gronstal	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Lonergan	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Poncy
Renaud	Rosenberg	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Varn
Zimmerman	Mr. Speaker (Connors)		

Absent or not voting, 4:

Handorf	Pavich	Pellett	Tofte

Amendment H—4136 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Handorf of Marshall, for the remainder of the day, on request of Fogarty of Palo Alto.

Sturgeon 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. 653)

The ayes were, 72:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Cooper	Copenhaver
Davitt	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lonergan	McIntee	McKean	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz

Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Van Gerpen
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 23:

Anderson	Bennett	Branstad	Carpenter
Corey	Daggett	De Groot	Grandia
Harbor	Lageschulte	Maulsby	Menke
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 5:

Handorf	Lloyd-Jones	Pavich	Pellett
Tofte			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Norland of Worth asked for unanimous consent to immediately message House File 653 to the Senate.

The Speaker announced that a motion to reconsider House File 653 had been filed at the desk.

Stromer of Hancock rose on a point of order that pursuant to Rule 74, the motion to reconsider shall be considered immediately.

The Speaker ruled the point well taken and the motion to reconsider filed by Clark of Cerro Gordo from the floor was taken up for consideration.

Clark of Cerro Gordo asked for unanimous consent to defer action on the motion to reconsider.

Objection was raised.

Clark of Cerro Gordo moved to reconsider the vote by which House File 653, a bill for an act to establish a job training partnership program and making an appropriation, passed the House and was placed on its last reading on May 10, 1983.

A non-record roll call was requested.

The ayes were 43, nays 50.

The motion to reconsider lost.

IMMEDIATE MESSAGE
(House File 653)

Norland of Worth asked and received unanimous consent to immediately message House File 653 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 548.

Speaker Avenson in the chair at 5:27 p.m.

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, 1983, 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 531, 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.

K. MARIE THAYER, Secretary

Senate File 548, a bill for an act for the purpose of improving the Iowa economy and providing improved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa development commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and

water conservation practices, authorizing the Iowa department of transportation to issue and become obligated for road use tax revenue bonds, appropriating funds for the purpose of providing state matching funds for the Title III dislocated workers program of the Jobs Training Partnership Act, and making various appropriations to carry out the programs, with report of committee recommending amendment and passage was taken up for consideration.

Connolly of Dubuque offered the following amendment H–4122 filed by the committee on finance today:

H–4122

Amend Senate File 548 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, lines 6 and 7, by striking the words and figure "three million fifty thousand (3,050,000)" and inserting in lieu thereof the words and figure "five million five hundred fifty thousand (5,550,000)".

2. Page 1, lines 14 and 15, by striking the words and figure "one million five hundred thousand (1,500,000)" and inserting in lieu thereof the words and figure "four million (4,000,000)".

3. Page 2, lines 12 and 13, by striking the words "two dollars of local funds to each dollar" and inserting in lieu thereof the words "one dollar of local funds to two dollars".

4. Page 6, line 29, by striking the words and figure "nine hundred fifty thousand (950,000)" and inserting in lieu thereof the words and figure "one million three hundred eighty-seven thousand two hundred (1,387,200)".

5. Page 6, line 32, by inserting after the word "programs" the words and figures "to be used for the fiscal year beginning July 1, 1983 and ending June 30, 1984, and one million (1,000,000) dollars from the general fund of the state, or so much thereof as is necessary, are appropriated to the energy policy council to be used for grants to local governments for energy management programs to be used for the fiscal year beginning July 1, 1984 and ending June 30, 1985".

6. Page 12, line 21, by striking the words and figure "five million (5,000,000)" and inserting in lieu thereof the words and figure "two million five hundred thousand (2,500,000)".

7. Page 56, by striking lines 1 through 8.

8. Title page, by striking lines 16 through 19 and inserting in lieu thereof the words "for road use tax revenue bonds, and making various appropriations".

Connolly of Dubuque offered the following amendment H—4130, to the committee amendment H—4122, filed by him from the floor and moved its adoption:

H—4130

Amend the Committee on Finance amendment H—4122 to Senate File 548 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by inserting after line 6 the following:

" . Page 1, lines 8 and 9, by striking the words and figure "nine hundred fifty thousand (950,000)" and inserting in lieu thereof the words and figure "one million three hundred eighty-seven thousand two hundred (1,387,200)"."

2. By numbering and renumbering as necessary.

Amendment H—4130 was adopted.

Division of the committee amendment H—4122 was requested as follows: Lines 3 through 10 and 30 through 33 amendment H—4122A; lines 11 through 29 amendment H—4122B; and lines 34 through 38 amendment H—4122C.

Connolly of Dubuque moved the adoption of the committee amendment H—4122A, as amended.

Roll call was requested by Stromer of Hancock and Halvorson of Clayton.

On the question "Shall the committee amendment H—4122A, as amended, be adopted?"

The ayes were, 54:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Carter	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Lonergan	McKean	Miller
Muhlbauer	Norland	O'Kane	Oxley
Parker	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 40:

Anderson	Bennett	Branstad	Buhr
Carpenter	Chapman	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Hammond	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Krewson
Lageschulte	Maulsby	McIntee	Mullins
Ollie	Osterberg	Paulin	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

Absent or not voting, 6:

Doderer	Handorf	Menke	Pavich
Pellett	Tofte		

The committee amendment H—4122A, as amended, was adopted.

Further division of the committee amendment H—4122B was requested as follows: Lines 11 through 14 amendment H—4122B and lines 15 through 29 amendment H—4122D.

Connolly of Dubuque moved the adoption of the committee amendment H—4122B.

A non-record roll call was requested.

The ayes were 48, nays 30.

The committee amendment H—4122B was adopted.

Connolly of Dubuque moved the adoption of the committee amendment H—4122D.

A non-record roll call was requested.

The ayes were 50, nays 27.

The committee amendment H—4122D was adopted.

On motion by Connolly of Dubuque, the committee amendment H—4122C was adopted.

McKean of Jones offered the following amendment H—4139 filed from the floor by McKean, Osterberg, Mullins, Clark, Maulsby, De Groot and Hammond and moved its adoption:

H—4139

Amend Senate File 548 as amended, passed and reprinted by the Senate, as follows:

1. Page 42, line 11, by striking the word "construct,".

2. Page 42, line 13, by striking the words ", including acquiring rights-of-way for them,".

3. Page 42, line 19, by striking the word ", construct,".

4. Page 42, line 27, by striking the word "construction,".

5. Page 42, by striking lines 34 and 35 and inserting in lieu thereof the words "to improve existing roadways,".

6. Page 43, line 1, by striking the word "construct,".

7. Page 43, line 4, by striking the word "construct,".

8. Page 43, line 20, by striking the words "surfacing and".

9. Page 43, by striking lines 23 and 24 and inserting in lieu thereof the words "of primary roads and bridges."

10. Page 44, line 31, by inserting after the word "department." the words "The proceeds from the sale of bonds shall be expended for those projects which involve the reconstruction or improvement of existing primary roads and bridges."

A non-record roll call was requested.

The ayes were 37, nays 49.

Amendment H—4139 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Koenigs of Mitchell, for a portion of the evening, on request of Hughes of Union.

McKean of Jones offered the following amendment H–4133 filed from the floor by McKean, Anderson, Hanson and Renken and moved its adoption:

H–4133

Amend Senate File 548 as amended, passed and reprinted by the Senate as follows:

1. By striking page 44, lines 9 through 27, and inserting in lieu thereof the words "shall not exceed ten million dollars. The proceeds".

A non-record roll call was requested.

The ayes were 36, nays 51.

Amendment H–4133 lost.

Schnekloth of Scott offered the following amendment H–4141 filed from the floor by Schnekloth, Van Maanen, Anderson and Bennett and moved its adoption:

H–4141

Amend Senate File 548 as amended, passed, and reprinted by the Senate, as follows:

1. Page 44, by inserting after line 33 the following:

"Notwithstanding any other provision in this section or other sections of this division, the department shall not issue bonds or, if bonds have already been issued, pay the principal of or interest on bonds if revenues which under the laws of this state in effect on May 1, 1983 would be credited to the road use tax fund are instead credited to the state general fund and the amount of those revenues have not been recredited to the road use tax fund."

A non-record roll call was requested.

The ayes were 32, nays 52.

Amendment H–4141 lost.

Daggett of Taylor in the chair at 6:25 p.m.

McKean of Jones offered the following amendment H–4132 filed from the floor by McKean, Krewson, Anderson, Mullins and Renken and moved its adoption:

H–4132

Amend Senate File 548 as amended, passed and reprinted by the Senate as follows:

1. By striking page 42, line 3 through page 55, line 26.

2. Renumber as necessary.

Roll call was requested by McKean of Jones and Van Camp of Scott.

On the question "Shall amendment H–4132 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carl
Carpenter	Clark	Corey	De Groot
Diemer	Grandia	Halvorson, R. A.	Hanson
Harbor	Hermann	Hoffmann-Bright	Hummel
Krewson	Lageschulte	Maulsby	McIntee
McKean	Mullins	Paulin	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden
Mr. Speaker (Daggett)			

The nays were, 55:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Tabor
Varn	Woods	Zimmerman	

Absent or not voting, 8:

Handorf	Koenigs	Menke	O'Kane
Pavich	Pellett	Swartz	Tofte

Amendment H–4132 lost.

Parker of Jasper offered the following amendment H–4138 filed from the floor by Parker, Chiodo and Schroeder and moved its adoption:

H–4138

Amend Senate File 548, as amended, passed, and reprinted by the Senate, as follows:

1. Page 55, by inserting after line 26 the following new division:

"DIVISION ____

Sec. 80. NEW SECTION. 28.40 INTENT. The purposes of this division are to encourage capital investment in the state of Iowa, to encourage the establishment or expansion of business and industry, to provide additional jobs within the state, and to encourage research and development activities within this state.

Sec. 81. NEW SECTION. 28.41 TITLE. This division shall be known and may be cited as the "Iowa Venture Capital Fund Act."

Sec. 82. NEW SECTION. 28.42 AUTHORIZED CORPORATION. There may be incorporated under chapter 496A a corporation which shall be known as the Iowa venture capital fund. The corporation shall be established by the Iowa development commission, and the initial board of directors shall be appointed by the governor. The initial board of directors shall consist of five members, not more than three of whom shall be from the same political party. The purpose of the corporation shall be to organize and manage an investment fund which shall be capitalized through the sale of common stock to the public. The Iowa development commission may expend an amount not to exceed one hundred thousand dollars of the funds necessary to establish the corporation which funds shall be repaid to the Iowa development commission upon completion of its public offering of stock. The corporation shall be subject to and have the powers and privileges conferred by this division, and those provisions of chapter 496A which are not inconsistent with and to the extent not restricted or limited by this division.

Sec. 83. NEW SECTION. 28.43 INVESTMENT POLICY. It is the policy of the Iowa venture capital fund to invest primarily in corporations with a principal place of business in the state and which are principally engaged in the development or exploitation of inventions, technological improvements, new processes, or products not previously generally available in this state or other investments which provide an economic benefit to the state. Fund investments shall be in accordance with the general objective of encouraging the development of additional business operations and employment in this state through venture capital financing to selected business ventures. The principal financial objective

of the fund is to generate long-term capital appreciation by participating in the growth in equity value of Iowa-based companies in which the fund invests.

Sec. 84. NEW SECTION. 28.44 REPORTS TO DEVELOPMENT COMMISSION. The Iowa venture capital fund is subject to the examination of the Iowa development commission and shall make reports of its condition not less than annually and shall also furnish other information as may from time to time be required by the Iowa development commission.

Sec. 85. NEW SECTION. 28.45 STOCK SALES LIMIT. The aggregate value of all stock sold in the Iowa venture capital fund for which a credit is allowed under section 422.10 or 422.33 shall not exceed five million dollars.

Sec. 86. NEW SECTION. 422.10 IOWA VENTURE CAPITAL FUND INVESTMENT CREDIT. The taxes imposed under this division, less credits permitted under section 422.12, shall be reduced by a state tax credit equal to five percent of the taxpayer's investment in the initial offering of securities by the Iowa venture capital fund established by the Iowa development commission and governed by a chapter 496A corporation and the Iowa venture capital fund Act. Any credit in excess of the tax liability for the taxable year may be credited to the tax liability for the following three taxable years or until depleted in less than three years.

In the case of an estate or trust, the credit shall be allocated between each beneficiary and the estate or trust based on the ratio that the income distributed to a beneficiary bears to the total distributable net income of the estate or trust for the taxable

year.

Sec. 87. Section 422.33, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The taxes imposed under this division shall be reduced by a state tax credit equal to five percent of the taxpayer's investment in the initial offering of securities by the Iowa venture capital fund established by the Iowa development commission and governed by a chapter 496A corporation and the Iowa venture capital fund Act. Any credit in excess of the tax liability for the taxable year may be credited to the tax liability for the following three taxable years or until depleted in less than three years.

Sec. 88. Sections 80 through 85 of this Act are created as a new division of chapter 28."

Page 3

2. Amend the title, line 16, by inserting after the words "bonds," the words "providing for the establishment of a corporation by the Iowa development commission which will organize and manage an investment fund which will invest in Iowa enterprises and allowing a state income tax credit on the net investment in the fund,".

3. Renumber sections and correct internal references as necessary in accordance with this amendment.

Amendment H—4138 was adopted.

Connolly of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 548)

The ayes were, 66:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Davitt	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Krewson

Lloyd-Jones	Lonergan	McIntee	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker (Daggett)		

The nays were, 29:

Anderson	Bennett	Branstad	Carpenter
Corey	De Groot	Grandia	Halvorson, R. A.
Harbor	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Maulsby	McKean	Menke
Paulin	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

Absent or not voting, 5:

Handorf	Koenigs	Pavich	Pellett
Tofte			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Speaker Avenson in the chair at 6:42 p.m.

IMMEDIATE MESSAGE
(Senate File 548)

Norland of Worth asked and received unanimous consent to immediately message Senate File 548 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 540.

Ways and Means Calendar

Senate File 540, a bill for an act relating to state payments by providing for payments in each fiscal year of homestead tax credits, extraordinary tax credits, mobile home tax credits, agricultural

land tax credits, livestock tax credits, military tax credits, and personal property tax credits to the respective county treasurers by the state comptroller, by providing for obligation of state funds for goods and services delivered only during the fiscal year with certain exceptions, and by providing for monthly payments of funds to school districts under chapter 442, with report of committee recommending passage was taken up for consideration.

Schnekloth of Scott offered the following amendment H–4140 filed by him from the floor and moved its adoption:

H–4140

Amend Senate File 540, as amended, passed and reprinted by the Senate, as follows:

1. Page 3, line 7 by striking the figure "15" and inserting in lieu thereof the figure "20".

2. Page 4, line 16 by striking the figure "15" and inserting in lieu thereof the figure "30".

Amendment H–4140 was adopted.

Osterberg of Linn offered the following amendment H–4128 filed by him and Doderer of Johnson from the floor and moved its adoption:

H–4128

Amend Senate File 540, as amended, passed, and reprinted by the Senate, as follows:

1. Page 5, line 18, by striking the word and figures "2 and 7" and inserting in lieu thereof the word and figures "1 and 10".

Amendment H–4128 was adopted.

Osterberg 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. 540)

The ayes were, 83:

Arnould	Baxter	Black	Blanshan
Brammer	Branstad	Buhr	Carl

Carpenter	Carter	Chapman	Chiodo
Clark	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Krewson	Lloyd-Jones	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Peick
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 12:

Anderson	Bennett	Cochran	Davitt
De Groot	Hermann	Lageschulte	Maulsby
Menke	Oxley	Renken	Torrence

Absent or not voting, 5:

Handorf	Koenigs	Pavich	Pellett
Tofte			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 540)

Norland of Worth asked and received unanimous consent to immediately message Senate File 540 to the Senate.

SENATE AMENDMENTS CONSIDERED

Spear of Lee called up for consideration **Senate File 532**, a bill for an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984, amended by the House, further amended by the Senate and moved that the

House concur in the following Senate amendment H—4121 to the House amendment:

H—4121

Amend the House amendment, S—3824 to Senate File 532, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 26, by striking the figure "46,397,000" and inserting in lieu thereof the figure "46,427,000".

2. Page 1, by striking line 27.

3. Page 1, by striking line 42.

The motion prevailed and the House concurred in the Senate amendment H—4121 to the House amendment.

Spear of Lee 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. 532)

The ayes were, 91:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp

Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 4:

Grandia	Hermann	Maulsby	Menke

Absent or not voting, 5:

Handorf	Koenigs	Pavich	Pellett
Tofte			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE REFUSED TO CONCUR

Baxter of Des Moines called up for consideration **House File 627**, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code, amended by the Senate, and moved that the House concur in the following Senate amendment H–4100:

H–4100

Amend House File 627 as amended, passed and reprinted by the House, as follows:

1. Page 1, line 14, by striking the letter "a."

2. Page 1, line 17, by striking the figure "469,706" and inserting in lieu thereof the figure "479,706".

3. Page 1, by striking lines 18 through 21.

4. Page 1, line 26, by striking the figure "2,757,758" and inserting in lieu thereof the figure "2,777,758".

5. By striking page 2, line 22 through page 3, line 30.

6. Page 5, line 4, by inserting after the word "appropriated." the following: "However, in expending funds appropriated under this subsection, the department of general services shall provide lighting in each work area which is suitable to type of work and the needs of the employee assigned to the work area."

7. Page 5, line 11, by striking the figure "769,782" and inserting in lieu thereof the figure "819,782".

8. Page 6, line 32, by striking the figure "666,941" and inserting in lieu thereof the figure "663,941".

9. Page 6, line 34, by striking the figure "6,000" and inserting in lieu thereof the figure "12,000".

10. Page 8, line 3, by striking the figure "99,411" and inserting in lieu thereof the figure "102,411".

11. Page 8, by inserting after line 3 the following:

"The senate majority and minority leaders shall appoint a five-person committee to study the office of lieutenant governor to determine the duties and responsibilities of the office and make recommendations to the senate."

12. Page 9, line 29, by striking the letter "a."

13. By striking page 9, line 34 through page 10, line 24.

14. Page 11, by striking lines 10 and 11 and inserting in lieu thereof the words "the legislative council."

15. Page 13, by striking lines 14 and 15.

The motion lost and the House refused to concur in the Senate amendment H—4100.

HOUSE FILE 206 WITHDRAWN

Schnekloth of Scott asked and received unanimous consent to withdraw House File 206 from further consideration by the House.

Groninga of Cerro Gordo called up for consideration **Senate File 531**, 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 House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4131 to the House amendment:

H—4131

Amend the amendment S—3817 to Senate File 531 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking line 16 through page 6 line 21.

The motion lost and the House refused to concur in the Senate amendment H—4131 to the House amendment.

SECOND CONFERENCE COMMITTEE APPOINTED
(Senate File 386)

The Speaker announced the appointment of the second conference committee to consider the differences between the House and Senate concerning Senate File 386: Doderer of Johnson, Chair; Rosenberg of Story, Tabor of Jackson, Carpenter of Polk and Schnekloth of Scott.

CONFERENCE COMMITTEE APPOINTED
(House File 638)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 638: Knapp of Dubuque, Chair; Black of Jasper, Cochran of Webster, Diemer of Black Hawk and Tofte of Winneshiek.

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, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 641, a bill for an act relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Also: That the Senate has on May 10, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 545, a bill for an act relating to registration, elections and the Iowa election campaign fund.

K. MARIE THAYER, Secretary

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 9, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate Concurrent Resolution 13, a resolution relating to regents bonding authority.

Senate File 85, an act to authorize the creation of land use districts which encompass at least twenty thousand acres of predominately rural and agricultural land including at least seven unincorporated villages having the power to adopt and enforce zoning ordinances and levy a tax.

Senate File 136, an act to make nonsubstantive corrections to the Code.

Senate File 371, an act relating to costs incurred for a mobile home space when the tenant abandons the mobile home.

Senate File 387, an act relating to an examination by the superintendent of banking of the condition of an economic development corporation.

Senate File 401, an act relating to the confidentiality of financial statements of grain dealers and warehousemen.

Senate File 423, an act relating to workers' compensation by modifying the intoxication defense, raising the interest rate on subrogation recoveries, providing that the statute of limitations does not run on certain medical benefits, transferring the authority to act as conservator of the second injury fund to the treasurer of state, and eliminating the industrial commissioner as a respondent in appeals from final agency action.

Senate File 459, an act providing for reasonable attorney fees for a mechanic's lien action.

Senate File 470, an act relating to the payment of costs in certain civil and administrative actions to which the state is a party.

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 10th day of May, 1983: House File 628.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

COMMUNICATION FROM THE SECRETARY OF STATE

May 9, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 267 was published in The Fairfield Daily Ledger, Inc., Fairfield, Iowa on May 2, 1983 and in The Chariton Leader, Chariton, Iowa on May 3, 1983.

I further certify that Senate File 334 was published in the Quad City Times, Davenport, Iowa on May 5, 1983 and in The Onawa Sentinel, Onawa, Iowa on May 5, 1983.

I further certify that Senate File 503 was published in the Quad City Times, Davenport, Iowa on May 5, 1983 and in The Onawa Sentinel, Onawa, Iowa on May 5, 1983.

I further certify that House File 533 was published in The Daily Reporter, Sioux City, Iowa on May 4, 1983 and in The Clayton County Register, Elkader, Iowa on May 4, 1983.

I further certify that House File 587 was published in The Sun, Mount Vernon, Iowa on May 5, 1983 and The North Scott Press, Eldridge, Iowa on May 5, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on May 5, 6, and 9, 1983. Had I been present, I would have voted "aye" on House Files 514, 532, 562, 625, 641, 643, 644, 645 and Senate Files 314, 354, 370, 448, 461, 495, 531, 532, 538, Senate Joint Resolution 6 and amendments H—3996D and H—4004 to Senate File 531; and "nay" on House File 646, amendments H—4005, H—4009, H—4020 and H—4058 to House File 641; amendment H—3987 to House File 625; amendments H—4082 and H—4085 to House File 562; amendment H—4063 to Senate File 461; amendments H—3989 and H—4046 to Senate File 531; and amendments H—4059, H—4089A, H—4104 and H—4109 to Senate File 448.

BAXTER of Des Moines

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-eight eighth grade students from Lutheran Interparish School, Williamsburg, accompanied by Duane Miller. By Varn of Johnson.

One hundred twenty sixth grade students from North Elementary School, Osceola, accompanied by Rich Hambright, Pat Marsh, Kim Brown and Dorsey Derrick. By Hughes of Union.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 533, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** with amendment H–4114 May 10, 1983.

Pursuant to House Rule 33, Senate File 533 was referred to the committee on Finance.

COMMITTEE ON FINANCE

Senate File 533, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Fiscal Note is not required.

Recommended **Do Pass** May 10, 1983.

Senate File 537, a bill for an act to provide a property tax levy for equipment replacement for area schools.

Fiscal Note is required.

Committee Action: **Failed to Pass** May 10, 1983.

Senate File 543, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps.

Fiscal Note is required.

Recommended **Do Pass** May 10, 1983.

Senate File 548, a bill for an act for the purpose of improving the Iowa economy and providing improved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa development commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and water conservation practices, authorizing the Iowa department of transportation to issue and become obligated for road use tax revenue bonds, appropriating funds for the purpose of providing state matching funds for the Title III dislocated workers program of the Jobs Training Partnership Act, and making various appropriations to carry out the programs.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—4122** May 10, 1983.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 649, a bill for an act relating to action by the board of parole concerning parole interviews and parole revocations.

Fiscal Note is not required.

Reconsidered and Recommended **Amend and Do Pass with amendment H—4135** May 10, 1983.

House File 652, a bill for an act relating to the penalties for certain crimes including the crime of operating a motor vehicle while under the influence of alcohol or drugs or while having thirteen hundredths or more of one percent of alcohol in the blood, and the crime of false use of a financial instrument.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4134** May 10, 1983.

AMENDMENTS FILED

H–4114	S.F.	533	Committee on Appropriations
H–4115	S.F.	23	Senate Amendment
H–4116	H.F.	656	Jochum of Dubuque
H–4118	S.F.	533	Shoultz of Black Hawk
H–4123	H.F.	652	Schroeder of Pottawattamie
H–4124	S.F.	533	Schroeder of Pottawattamie
H–4125	H.F.	123	Miller of Woodbury
H–4126	S.F.	533	Varn of Johnson
H–4127	H.F.	656	Carpenter of Polk De Groot of Lyon Buhr of Polk Sturgeon of Woodbury
H–4129	S.F.	533	Doderer of Johnson Arnould of Scott Krewson of Polk Daggett of Taylor
H–4134	H.F.	652	Committee on Judiciary and Law Enforcement
H–4135	H.F.	649	Committee on Judiciary and Law Enforcement
H–4137	S.F.	533	Schroeder of Pottawattamie
H–4142	S.F.	92	Copenhaver of Buchanan Woods of Polk
H–4143	S.F.	533	Osterberg of Linn Branstad of Winnebago Koenigs of Mitchell Oxley of Linn Jochum of Dubuque McIntee of Black Hawk
H–4144	S.F.	533	Groth of Buena Vista Shoultz of Black Hawk Copenhaver of Buchanan Peick of Linn Arnould of Scott Jay of Appanoose Carter of Henry O'Kane of Woodbury Connolly of Dubuque Renaud of Polk Renken of Grundy Sherzan of Polk
Krewson of Polk McKean of Jones Haverland of Polk Branstad of Winnebago Sturgeon of Woodbury Hughes of Union Maulsby of Calhoun Gronstal of Pottawattamie Ollie of Clinton Hermann of Scott Paulin of Plymouth			

			Woods of Polk
			Corey of Louisa
			Van Camp of Scott
			Black of Jasper
			Koenigs of Mitchell
			Blanshan of Greene
			Fogarty of Palo Alto
			Fey of Scott
			Halvorson of Webster
			Parker of Jasper
H—4145	S.F.	533	Groninga of Cerro Gordo Daggett of Taylor Jochum of Dubuque Skow of Guthrie Knapp of Dubuque Gruhn of Dickinson Cochran of Webster Anderson of Audubon Swartz of Marshall Cooper of Lucas Schnekloth of Scott Groth of Buena Vista Ollie of Clinton Haverland of Polk
H—4146	S.F.	92	Clark of Cerro Gordo
H—4147	S.F.	92	Clark of Cerro Gordo
H—4148	S.F.	92	Clark of Cerro Gordo
H—4149	S.F.	92	Clark of Cerro Gordo
H—4150	S.F.	92	Clark of Cerro Gordo
H—4151	S.F.	92	Rosenberg of Story
H—4152	H.F.	641	Senate Amendment

On motion by Norland of Worth, the House adjourned at 7:08 p.m., until 9:00 a.m., Wednesday, May 11, 1983.

JOURNAL OF THE HOUSE

One Hundred Twenty-second Calendar Day — Seventy-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 11, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Dr. Roy Pasley, pastor of the First Baptist Church, Boone.

The Journal of Tuesday, May 10, 1983 was approved.

PETITIONS FILED

The following petitions were received opposing House File 564, an act relating to the funding of substance abuse programs and services by imposing a tax on beer and liquor sold in this state, providing for the use of the tax revenues and other moneys for substance abuse programs and making an appropriation:

By De Groot of Lyon, from fifty-five constituents of District 8.

By McKean of Jones, from twenty-nine constituents.

By Schroeder of Pottawattamie, from fifty-four constituents.

The following petition was received and placed on file:

By Stromer of Hancock, from thirty-three constituents of the 17th District opposing the proposed legislation permitting a lottery in our state.

SENATE MESSAGE CONSIDERED

Senate File 545, by committee on appropriations, a bill for an act relating to registration, elections and the Iowa election campaign fund.

Read first time and referred to committee on **finance.**

HOUSE CONCURRENT RESOLUTION 31

By Running, Clark, Chapman, Parker, Mullins, Hermann, Daggett, Tabor, Lonergan, Van Gerpen, Zimmerman, Ollie, Royer, Doderer, Krewson, Connors, Peick, Sherzan, Woods, Fey, Van Camp and Torrence

Whereas, through the process of adoption a child's legal relationship with the birth parents is terminated and the child is assimilated into a new family; and

Whereas, in 1945 Iowa enacted legislation sealing the original birth certificate after an adoption as well as adoption records to protect the parties to the adoption; and

Whereas, some states have recently reevaluated the need for strict confidentiality when all parties are adults and have changed their statutes to permit varying degrees of access to identifying information; and

Whereas, a need also exists to examine Iowa's adoption and termination statutes to determine whether certain clarifications and changes are necessary to reflect changing attitudes toward adoption and to better meet the needs of the principal parties; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council authorize the appointment of a joint subcommittee of the house standing committee on judiciary and law enforcement and the senate standing committee on judiciary to study adoption and termination statutes and procedures. The joint subcommittee shall examine the following:

1. Proposals that permit various degrees of access to identifying information regarding the parties to an adoption.

2. The need to require agencies to provide updated

nonidentifying information to the parties on request.

3. The need for additional adoption services, including an adoption exchange, open adoptions, and requirements for providing information on the alternatives to and effects of surrender of a child to persons contemplating surrender.

4. The need for protection against separation of siblings and for facilitating the reunion of adult siblings who were separated as children.

5. Clarification of procedures relating to the release of custody.

6. Other changes in adoption and termination statutes as necessary and appropriate.

The subcommittee shall submit a report of its recommendations and accompanying legislation to the legislative council and members of the general assembly meeting in 1984.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 32

By Running, Mullins, Zimmerman, Clark, Connors, Sherzan, Ollie and Van Camp

Whereas, the state has a responsibility for insuring adequate safety of services provided to the public; and

Whereas, child care outside the home is becoming more prevelant with the increase in two-career and single-parent families; and

Whereas, the state shoulders even more responsibility when a portion of the public, in this case children, cannot adequately protect themselves from abusive practices that could occur; and

Whereas, the General Assembly considers legislation affecting licensing, registration, inspection and other monitoring of child care facilities; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Legislative Council is requested to direct the Program Evaluation Division of the Legislative Fiscal Bureau to perform an evaluation of the Department of Social Services' child care licensing, registration and inspection procedures. This evaluation will examine the problems involved in protecting children in child care services, evaluate the effectiveness of regulation and inspection procedures, and consider alternative improvements in the process for the protection of children of Iowa.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 33

By Doderer, Zimmerman, Arnould, Running and Carpenter

Whereas, health care costs continue to escalate two to three times the Consumer Price Index and such costs are a continuing concern to the citizens of this state; and

Whereas, there is a need to continue the legislature's efforts in reducing health care costs

through encouraging competition within the field of health care; and

Whereas, additional information from various constituencies, including but not limited to, consumers of health care services, providers of health care services and the reimbursement mechanisms, business interests, labor interests, farmers, commercial and nonprofit insurance carriers, and local government representatives regarding health care needs would further aid the legislature in determining additional methods of reducing health care costs; and

Whereas, the health care provided for indigent patients and elderly needs to be explored to maintain adequate care through the best economical means; and

Whereas, strategies for controlling market forces, regulation, and competition in the health care fields should be considered, to promote efficiency and effectiveness; and

Whereas, there is a need to further explore competitive health care models, equity in the reimbursement mechanism, and the formation of a risk pool to provide insurance currently not available to certain groups of individuals; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council authorize the appointment of a joint subcommittee to study the current needs and desired changes in health care; and

Be It Further Resolved, That the subcommittee shall submit a report of its findings, recommendations, and necessary bill drafts to the legislative council and members of the general assembly in January, 1984.

Laid over under Rule 25.

The House stood at ease at 9:28 a.m., until the fall of the gavel.

The House resumed session at 10:11 a.m., Speaker Avenson in the chair.

IMMEDIATE MESSAGES
(House File 627 and Senate File 532)

Norland of Worth asked and received unanimous consent to immediately message House File 627 and Senate File 532 to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Haverland of Polk, for the morning session, on request of Ollie of Clinton; Pavich of Pottawattamie on request of Speaker Avenson.

SENATE AMENDMENTS CONSIDERED

O'Kane of Woodbury called up for consideration **House File 359,** a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, amended by the Senate and moved that the House concur in the following Senate amendment H–3827:

H–3827

Amend House File 359 as passed by the House as follows:

1. Page 1, line 16, by inserting after the word "for" the words "only out of pocket".

The motion lost and the House refused to concur in the Senate amendment H–3827.

Rosenberg of Story called up for consideration **House File 123,** a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire fighters, persons providing emergency medical services, and penal and correctional facility staff, and providing penalties, amended by the Senate amendment H–4066 as follows:

H–4066

Amend House File 123 as amended, passed and reprinted by the House as follows:

1. Page 1, line 4, by inserting after the word "knowingly" the word "physically".

2. Page 1, by striking lines 6 through 8 and inserting in lieu thereof the following: "paramedic, or emergency medical technician, in the performance of any".

3. Page 1, by striking lines 10 through 13 and inserting in lieu thereof the following: "or authority of that person, or who knowingly".

4. Page 1, line 14, by inserting before the word "resists" the word "physically".

5. Page 1, by striking lines 16 through 23 and inserting in lieu thereof the following: "commits a simple misdemeanor. If a person commits an interference".

6. Title page, by striking lines 3 and 4 and inserting in lieu thereof the following: "fighters, ambulance personnel, paramedics, and emergency medical technicians, and providing".

Rosenberg of Story offered the following amendment H—4125, to the Senate amendment H—4066, filed by Miller of Woodbury and moved its adoption:

H—4125

Amend the Senate amendment H—4066 to House File 123 as amended, passed and reprinted by the House as follows:

1. Page 1, by striking lines 3 and 4.

2. Page 1, by striking lines 12 and 13.

Amendment H—4125 was adopted.

Rosenberg of Story moved that the House concur in the Senate amendment H—4066, as amended.

A non-record roll call was requested.

The ayes were 53, nays 1.

The motion prevailed and the House concurred in the Senate amendment H—4066, as amended.

Rosenberg of Story 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. 123)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver

Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Haverland	Pavich

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Davitt of Warren called up for consideration **Senate File 23**, a bill for an act relating to the payment of property taxes by a taxpayer amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H–4115 to the House amendment:

H–4115

Amend the House amendment, S–3810, to Senate File 23, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 13, by inserting after the word "installment." the words "The payment shall not be permitted if taxes have been sold under chapter 446 and under any circumstances shall not constitute an extension of the time period for a sale under section 446.18."

The motion prevailed and the House concurred in the Senate amendment H–4115, to the House amendment.

Davitt of Warren 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. 23)

The ayes were, 96:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tofte	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Groninga	Haverland	Pavich	Tabor

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 650, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to file for exemption from property taxes for a designated tax year, was taken up for consideration.

Gruhn of Dickinson moved that the bill be read a last time now and 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, 97:

Anderson	Arnould	Baxter	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Torrence	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Blanshan	Haverland	Pavich

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 650, 359 and 123 and Senate File 23.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 533.

Appropriations Calendar

Senate File 533, 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 amendment and passage was taken up for consideration.

Baxter of Des Moines in the chair at 10:39 a.m.

The House stood at ease at 10:42 a.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 533 at 11:24 a.m., Speaker Avenson in the chair.

Norland of Worth asked and received unanimous consent that Senate File 533 be temporarily deferred.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Avenson invited the House Pages to the Speaker's station for a special presentation. He thanked them for serving the House so well and for their friendship, wishing them future happiness.

Certificates of Excellence for serving with honor and distinction as a House Page during the First Regular Session of the Seventieth General Assembly were presented to the following by Speaker Avenson of Fayette and Minority Leader Stromer of Hancock:

Eric Avenson
Terri Buhr
Walt Cunningham
Don Findlay
Gary Fischer
Mike Gaul
Deb Graham
Kris Groth
Todd Gukeisen
Kay Hansen
Tammy Heim
Dennis Johnson
Lori Less
Cindy Moothart
Ann Oldorf
Dave Paustian
Klaus Pohlmann
Kelly Reardon
Matt Reinert
Kathy Selzler
Robin Sether
Heather Smith
Jill Weber

INTRODUCTION OF BILL

House File 658, by committee on ways and means, a bill for an act relating to the direct deposits of revenue and special assessments collected by the county treasurer.

Read first time and referred to committee on **finance.**

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, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 617, a bill for an act relating to reporting and investigation of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange and making an appropriation.

Also: That the Senate has, on May 11, 1983, insisted on its amendment to the House amendment to Senate File 531, 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 the members of the conference committee, on the part of the Senate, are: The Senator from Dubuque, Senator Welsh, Chair; the Senator from Muscatine, Senator Drake; the Senator from Woodbury, Senator Doyle; the Senator from Audubon, Senator Hutchins; and the Senator from Sioux, Senator Ritsema.

Also: That the Senate has on May 11, 1983, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 548, a bill for an act to improve the Iowa economy and providing improved employment conditions for unemployed Iowans.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 11:38 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for a committee on appropriations meeting upon recess.

CONFERENCE COMMITTEE APPOINTED
(Senate File 531)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 531: Jochum of Dubuque, Chair; Groninga of Cerro Gordo, Woods of Polk, Harbor of Mills and Maulsby of Calhoun.

The House stood at ease at 1:56 p.m., until the fall of the gavel.

The House resumed session at 2:56 p.m., Speaker Avenson in the chair.

BUSINESS PENDING

The House resumed consideration of **Senate File 533,** a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state, temporarily deferred.

Jochum of Dubuque offered the following amendment H—4114 filed by the committee on appropriations:

H—4114

Amend Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 5, by striking lines 30 through 33.

2. Page 6, by striking line 3 and inserting in lieu thereof the following:

"software clearinghouse.....$ 10,000".

3. Page 6, by striking line 8 and inserting in lieu thereof the following:

"tion 280A.2 .....$56,255,501".

4. Page 12, by striking lines 17 through 20 and inserting in lieu thereof the following: "that case, an appropriation equal to this amount may be considered by the general assembly meeting in 1984 to pay a portion of the costs of construction".

Jochum of Dubuque offered the following amendment H—4154, to the committee amendment H—4114, filed from the floor by Jochum, Poncy and Groth and moved its adoption:

H—4154

Amend the committee amendment H—4116, to Senate File 533 as follows:

1. By striking line 9 and inserting in lieu thereof the following:

"tion 280A.2 ..... $56,405,501".

Amendment H—4154 was adopted.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4145, to the committee amendment H—4114, filed by Groth, et al., on May 10, 1983.

Krewson of Polk in the chair at 3:05 p.m.

On motion by Jochum of Dubuque, the committee amendment H—4114, as amended, was adopted.

Schroeder of Pottawattamie offered the following amendment H—4137 filed by him and moved its adoption:

H—4137

Amend Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, by inserting after line 4 the following:

"Sec. . There is appropriated from the funds appropriated to the Iowa college aid commission in section 2 of this Act, an amount sufficient to make payments to individuals who were eligible to receive a tuition grant during any of the fiscal years beginning July 1, 1980 and ending June 30, 1983 but were found ineligible because they transferred from one accredited private institution to another but failed to notify the college aid commission of the transfer by the deadline date imposed by the commission. The amount of a payment is equal to the amount of the tuition grant that would have been received by an eligible recipient pursuant to section 261.12. The college aid commission shall publish information about the eligibility for the payments under this section and shall determine the names of those individuals eligible to receive payments. Upon the receipt of proof from an eligible individual that the individual was admitted and in attendance at the accredited private institution for a semester or the trimester equivalent, the college aid commission shall

make the payments."

2. By numbering and renumbering sections as necessary.

Roll call was requested by Schroeder of Pottawattamie and Davitt of Warren.

On the question "Shall amendment H—4137 be adopted?"

The ayes were, 55:

Anderson	Bennett	Branstad	Chiodo
Clark	Cochran	Connolly	Connors
Corey	Davitt	De Groot	Diemer
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Holveck	Hughes
Hummel	Jay	Knapp	Koenigs
Lageschulte	Lonergan	McIntee	Miller
Muhlbauer	O'Kane	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Renken	Rensink	Rosenberg	Royer
Schnekloth	Schroeder	Shoultz	Skow
Stueland	Sturgeon	Tofte	Van Gerpen
Welden	Zimmerman	Mr. Speaker (Krewson)	

The nays were, 44:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Cooper
Copenhaver	Daggett	Doderer	Fey
Gronstal	Halvorson, R. N.	Hammond	Haverland
Hoffmann-Bright	Jochum	Lloyd-Jones	Maulsby
McKean	Menke	Mullins	Norland
Ollie	Poncy	Renaud	Running
Sherzan	Spear	Stromer	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Woods

Absent or not voting, 1:

Pavich

Amendment H—4137 was adopted.

Shoultz of Black Hawk offered the following amendment H—4118 filed by him and moved its adoption:

H—4118

Amend Senate File 533, as amended, passed and reprintd by the Senate, as follows:

1. Page 7, by inserting after line 2 the following:

" . TEACHER CENTER

To provide for operation of

the area 7 teacher center ..... $90,000".

Amendment H—4118 lost.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—4112 filed by Osterberg, et al., on May 9, 1983.

Speaker Avenson in the chair at 4:03 p.m.

Osterberg of Linn offered amendment H—4143 filed by Osterberg, et al. Division was requested as follows:

H—4143

Amend Senate File 533 as follows:

H—4143A

1. Page 8, by striking line 18 and inserting in lieu thereof the following:

"(1) For salaries, support,".

2. Page 8, by striking line 28 and inserting in lieu thereof the following:

"of diabetes mellitus $106,523,328

(2) For purchases of motor fuel and special fuel ..... $ 101,083".

H—4143B

3. Page 10, by striking lines 33 through 35 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, equipment and miscellaneous purposes ..... $ 87,305,496

(2) For purchases of motor fuel and special fuel ..... $ 109,358".

4. Page 11, by striking lines 14 through 16 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 34,339,727

(2) For purchases of motor fuel and special fuel ..... $ 21,546".

5. Page 11, by striking lines 19 through 21 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, and miscellaneous purposes ..... $ 4,199,342

(2) For purchases of motor fuel and special fuel ..... $ 13,637".

6. Page 11, by striking lines 24 through 26 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, and miscellaneous purposes ..... $ 2,282,861

(2) For purchases of motor fuel and special fuel ..... $ 8,550".

Osterberg of Linn moved the adoption of amendment H—4143A.

A non-record roll call was requested.

The ayes were 49, nays 36.

Amendment H—4143A was adopted.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4110 filed by him on May 9, 1983 placing out of order amendment H—4126, to amendment H—4110, filed by Varn of Johnson of May 10, 1983.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4144 filed by Groth, et al., on May 10, 1983.

The House resumed consideration of amendment H—4143B.

Osterberg of Linn moved the adoption of amendment H—4143B.

A non-record roll call was requested.

The ayes were 63, nays 18.

Amendment H—4143B was adopted.

Norland of Worth asked and received unanimous consent that Senate File 533 be temporarily deferred.

HOUSE INSISTS

Connolly of Dubuque called up for consideration **Senate File 548,** a bill for an act for the purpose of improving the Iowa economy and providing improved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa development commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and water conservation practices, authorizing the Iowa department of transportation to issue and become obligated for road use tax revenue bonds, appropriating funds for the purpose of providing state matching funds for the Title III dislocated workers program of the Jobs Training Partnership Act, and making various appropriations to carry out the programs, and moved that the House insist on its amendment.

The motion prevailed and the House insisted on its amendment.

CONFERENCE COMMITTEE APPOINTED
(Senate File 548)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 548: Connolly of Dubuque, Chair; Chiodo of Polk, Parker of Jasper, Hanson of Delaware and Hummel of Benton.

The House resumed consideration of **Senate File 533,** a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state, temporarily deferred.

Baxter of Des Moines in the chair at 4:42 p.m.

Doderer of Johnson offered the following amendment H–4129 filed by Doderer, et al., and moved its adoption:

H–4129

Amend Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 13, by striking lines 4 and 5 and inserting in lieu thereof the following:

"Committee members shall be reimbursed for actual and necessary expenses".

Amendment H–4129 was adopted.

Zimmerman of Dallas offered the following amendment H–4175 filed by her from the floor and moved its adoption:

H–4175

Amend Senate File 533 as amended, passed and reprinted by the Senate as follows:

1. Page 13, by striking lines 4 through 8.

Roll call was requested by Connolly of Dubuque and Hammond of Story.

On the question "Shall amendment H–4175 be adopted?"

The ayes were, 32:

Brammer	Carl	Chapman	Clark
Cooper	Corey	Diemer	Doderer
Gronstal	Gruhn	Halvorson, R. N.	Hammond
Handorf	Hanson	Hughes	Koenigs
Krewson	Lageschulte	Lloyd-Jones	McKean
Norland	Osterberg	Oxley	Parker
Renken	Rosenberg	Royer	Stueland
Van Gerpen	Welden	Zimmerman	Madam Speaker (Baxter)

The nays were, 67:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Branstad	Buhr
Carpenter	Carter	Chiodo	Cochran
Connolly	Connors	Copenhaver	Daggett
Davitt	De Groot	Fey	Fogarty
Grandia	Groninga	Groth	Halvorson, R. A.
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hummel	Jay	Jochum
Knapp	Lonergan	Maulsby	McIntee
Menke	Miller	Muhlbauer	Mullins

O'Kane	Ollie	Paulin	Peick
Pellett	Poncy	Renaud	Rensink
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Maanen	Varn	Woods	

Absent or not voting, 1:

Pavich

Amendment H—4175 lost.

Speaker Avenson in the chair at 4:56 p.m.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—4124 filed by him on May 10, 1983.

Groth of Buena Vista offered the following amendment H—4178 filed by him from the floor:

H—4178

Amend Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 6, line 15, by inserting after the word "instruction." the following: "The formula shall provide each merged area school with the same amount of state financial aids as the area school received during the fiscal year beginning July 1, 1982 and ending June 30, 1983 and a proportionate amount of the remaining funds appropriated in this paragraph. The remaining funds shall be allocated to each area school based upon the proportion that the student contact hours of enrollment eligible to receive general state financial aid for the area school for the fiscal year beginning July 1, 1982 and ending June 30, 1983 bears to the total number of student contact hours of enrollment for all area schools for the fiscal year beginning July 1, 1982 and ending June 30, 1983."

The following amendment H—4189 to amendment H—4178, filed by Ollie of Clinton from the floor was adopted by unanimous consent:

H—4189

Amend amendment H—4178 to Senate File 533 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 6, by striking the word "area" and inserting in lieu thereof the words "merged area".
2. Page 1, line 10, by striking the word "area" and inserting in lieu thereof the words "merged area".
3. Page 1, line 13, by striking the word "area" and inserting in lieu thereof the words "merged area".
4. Page 1, line 16, by striking the word "area" and inserting in lieu thereof the words "merged area".

On motion by Groth of Buena Vista, amendment H—4178, as amended, was adopted.

Poncy 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. 533)

The ayes were, 99:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Pavich

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on May 11, 1983, insisted on its amendment to House File 627, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code, and the members of the conference committee on the part of the Senate, are: The Senator from Marion, Senator Dieleman, Chair; the Senator from Scott, Senator Deluhery; the Senator from Des Moines, Senator Miller; the Senator from Sioux, Senator Ritsema; the Senator from Jefferson, Senator Schwengels.

Also: That the Senate has on May 11, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 553, a bill for an act specifying who may solemnize a marriage.

K. MARIE THAYER, Secretary

The House stood at ease at 5:08 p.m., until the fall of the gavel.

The House resumed session at 5:55 p.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-nine members present, eleven absent.

SENATE AMENDMENT CONSIDERED

Carl of Poweshiek called up for consideration **House File 641**, a bill for an act relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984, amended by the Senate amendment H—4152 as follows:

H—4152

Amend House File 641 as amended, passed and reprinted by the House as follows:

1. Page 5, line 6, by inserting after the word "organization" the words "which is not reimbursed through federal participation".

2. Page 6, by striking lines 22 and 23 and inserting in lieu thereof the words "procedures shall include a grievance procedure for public complaints regarding the".

3. Page 6, line 24, by striking the word "The" and inserting in lieu thereof the words "Upon the filing of a complaint, the".

4. Page 13, line 25, by striking the word "one-third" and inserting in lieu thereof the word "one-half".

5. Page 13, line 26, by striking the word "two-thirds" and inserting in lieu thereof the word "one-half".

6. Page 15, by striking lines 7 through 14 and inserting in lieu thereof the words and figures "prior to May 1, 1981."

7. Page 18, by striking line 28 through page 19, line 25.

8. Page 19, by inserting after line 34 the following:

"Sec. . ADDITIONAL STAFF. Notwithstanding the limitations on full-time equivalent positions in section 1, subsection 1, section 2, subsection 1, and section 3, subsections 5 and 12 of this Act, the department of social services may add staff above the limitations if the department receives additional federal funding not originally anticipated and budgeted, including but not limited to increased federal funding from the Emergency Jobs Appropriations Act, Pub. L. No. 98-8."

9. By renumbering as necessary.

Carl of Poweshiek offered the following amendment H—4185, to the Senate amendment H—4152, filed by her from the floor and moved its adoption:

H—4185

Amend the Senate amendment, H—4152, to House File 641, as amended, passed and reprinted by the House, as follows:

1. Page 1, by inserting after line 35 the following:

" . Page 20, by inserting after line 33 the following:

"Sec. . Section 249A.4, subsection 8, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Shall advise and consult at least semiannually with a council composed of the president, or ~~his or her~~ the president's representative who is a member of the professional organization represented by the president, of the Iowa ~~Medical Society~~ medical society, the Iowa ~~Society~~ society of ~~Osteopathic Physicians~~ osteopathic physicians and ~~Surgeons~~ surgeons, the Iowa ~~State Dental Society~~ state dental society, the Iowa ~~State Nurses Association~~ state nurses association, the Iowa ~~Pharmaceutical Association~~ pharmacists association, the Iowa ~~Podiatry Society~~ podiatry society, the Iowa ~~Optometric Association~~ optometric association, the community mental health centers association of Iowa, the Iowa psychological association, the Iowa ~~Hospital Association~~ hospital association, the Iowa ~~Osteopathic Hospital Association~~ osteopathic hospital association, opticians' association of Iowa ~~Ophthalmic Dispensers~~, Inc., ~~(opticians) and~~ the Iowa ~~Nursing Home Association~~ health care association, the Iowa assembly of home health agencies, the Iowa council of health care centers, and the Iowa association of homes for the aging, together with one person designated by the Iowa state board of chiropractic examiners; one state representative from each of the two major political parties appointed by the speaker of the house, one state senator from each of the two major political parties appointed by the lieutenant governor, each for a term of two years; the president or the president's representative of the association for retarded citizens; four public representatives, ~~two of whom shall be~~ appointed ~~each year~~ by the governor for staggered terms of two years each, ~~and~~ none of whom shall be members of, or practitioners of or have a pecuniary interest in any of the professions or businesses represented by, any of the several professional groups and associations specifically represented on the council under this subsection, and at least one of whom shall be a recipient of medical assistance; the commissioner of public health, or a representative designated by ~~him~~ the commissioner,

Page 2

and the dean of the college of medicine, ~~University~~ university of Iowa, or a representative designated by ~~him~~ the dean." "

Amendment H—4185 was adopted.

On motion by Carl of Poweshiek, the House concurred in the Senate amendment H—4152, as amended.

Carl of Poweshiek 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. 641)

The ayes were, 98:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Menke	Pavich

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT

Norland of Worth asked and received unanimous consent that the Chief Clerk correct amendment H–4154, line 3, to Senate File 533 (found on page 2024 of the House Journal) to read as follows:

"1. By striking line 9 and inserting in".

The correction was so recorded.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 551.

The House stood at ease at 6:22 p.m., until the fall of the gavel.

The House resumed session at 7:00 p.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-two members present, twenty-eight absent.

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 11, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 644, a bill for an act to appropriate the principal, interest and earnings from the special fund for the Herrick bequest to certain projects.

Also: That the members of the conference committee to Senate File 548, a bill for an act relating to the purpose of improving the Iowa economy and providing improved employment conditions by establishing work programs for unemployed Iowans, appointed May 11, 1983, on the part of the Senate, are: The Senator from Dallas, Senator Rodgers, Chair; the Senator from Polk, Senator Palmer; the Senator from Jefferson, Senator Schwengels; the Senator from Pottawattamie, Senator Slater; and the Senator from Clayton, Senator Tieden.

K. MARIE THAYER, Secretary

The House stood at ease at 7:23 p.m., until the fall of the gavel.

The House resumed session at 8:40 p.m., Speaker Avenson in the chair.

SENATE MESSAGE CONSIDERED

Senate File 553, by Junkins and Hultman, a bill for an act specifying who may solemnize a marriage.

Read first time and referred to committee on **judiciary and law enforcement.**

CONFERENCE COMMITTEE APPOINTED
(House File 627)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 627: Baxter of Des Moines, Chair; Fogarty of Palo Alto, Sullivan of Van Buren, Handorf of Marshall and Mullins of Kossuth.

OBJECTION TO UNANIMOUS CONSENT

Norland of Worth asked for unanimous consent to suspend the rules for a committee on ways and means meeting.

Objection was raised.

RULES SUSPENDED

Norland of Worth moved that the rules be suspended for a committee on ways and means meeting.

A non-record roll call was requested.

The ayes were 52, nays 33.

The motion prevailed and the rules were suspended.

The House stood at ease at 8:45 p.m., until the fall of the gavel for a committee on ways and means meeting.

The House resumed session at 9:16 p.m., Speaker Avenson in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 543.

Ways and Means Calendar

Senate File 543, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps, with report of committee recommending passage was taken up for consideration.

Swartz of Marshall in the chair at 9:18 p.m.

Blanshan of Greene asked and received unanimous consent to defer action on amendment H–4161.

Arnould of Scott offered the following amendment H–4194 filed from the floor by Arnould, Doderer, Schnekloth, Lageschulte, Tabor and Copenhaver:

H–4194

Amend Senate File 543 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 10 and 11 and inserting in lieu thereof the words and figure "on each cigarette which shall not be considered as part of the basic cost of cigarettes as defined in section 551A.2."

Speaker Avenson in the chair at 10:10 p.m.

Arnould of Scott moved the adoption of amendment H–4194.

Roll call was requested by Schroeder of Pottawattamie and Connolly of Dubuque.

On the question "Shall amendment H—4194 be adopted?"

The ayes were, 53:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Connors	Copenhaver
Diemer	Doderer	Fey	Grandia
Groninga	Gronstal	Groth	Gruhn
Hammond	Handorf	Hanson	Hermann
Hoffmann-Bright	Holveck	Hummel	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
Mullins	Norland	Osterberg	Parker
Paulin	Peick	Pellett	Poncy
Renken	Rensink	Running	Schnekloth
Sherzan	Shoultz	Sturgeon	Tabor
Torrence	Van Gerpen	Varn	Welden
Woods			

The nays were, 45:

Anderson	Bennett	Black	Branstad
Chiodo	Cochran	Connolly	Cooper
Corey	Daggett	Davitt	De Groot
Fogarty	Halvorson, R. A.	Halvorson, R. N.	Harbor
Haverland	Hughes	Jay	Jochum
Knapp	Koenigs	Maulsby	McKean
Menke	Miller	Muhlbauer	O'Kane
Ollie	Oxley	Renaud	Rosenberg
Royer	Schroeder	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Van Camp	Van Maanen	Zimmerman
Mr. Speaker			

Absent or not voting, 2:

Pavich	Tofte

Amendment H—4194 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the evening, on request of Bennett of Ida.

Blanshan of Greene offered the following amendment H—4161, previously deferred, filed from the floor by Blanshan, Black, Diemer, Lageschulte, Zimmerman, Clark, Corey, Krewson, McKean and Skow:

H–4161

Amend Senate File 543 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 22, by striking the words "a discount of two percent of the" and inserting in lieu thereof the words "~~a discount of two percent of the~~".

2. Page 1, by inserting after line 25 the following:

"Sec. . Section 98.35, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. From the funds deposited in the general fund from the payment of taxes, an amount equal to two percent of the face value of the tax stamps sold shall be credited to the state park, forest and recreation area facilities improvement fund.

Sec. . Section 107.17, Code 1983, is amended to read as follows:

107.17 FUNDS. The financial resources of ~~said~~ the commission shall consist of ~~three~~ four funds:

1. A state fish and game protection fund;.

2. A state conservation fund; ~~and~~.

3. An administration fund.

4. A state park, forest and recreation area facilities improvement fund.

The state fish and game protection fund, except as otherwise provided, ~~shall consist~~ consists of all moneys accruing from license fees and all other sources of revenue arising under the division of fish and game. Notwithstanding section 453.7, subsection 2, interest or earnings on investments or time deposits of the funds in the state fish and game protection fund and the state park, forest and recreation area facilities improvement fund shall be credited to ~~the state fish and game protection fund~~ those funds respectively.

The state park, forest and recreation area facilities improvement fund consists of all moneys credited to it under section 98.35 and other moneys credited to it by law or appropriated to it by the general assembly.

The conservation fund, except as otherwise provided, shall consist of all other funds accruing to the conservation commission.

The administration fund shall consist of an equitable portion of the gross amount of the ~~two aforesaid funds~~ state fish and game protection fund and the state conservation fund, to be determined by the commission, sufficient to pay the expense of administration entailed by this chapter.

All receipts and refunds and reimbursements related

Page 2

to activities funded by the administration fund are appropriated to the administration fund. All refunds and reimbursements relating to activities of the state fish and game protection fund shall be credited to the state fish and game protection fund.

Sec. . Section 107.19, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All moneys credited to the state park, forest and recreation area facilities improvement fund shall be expended solely in carrying out the provisions of chapter 111. This fund is in addition to the moneys available for those purposes in the state conservation fund. Not more than ten percent of the expenditures of the state park, forest and recreation area facilities improvement fund shall be for planning and administration. Expenditures from the fund shall be made only upon the authorization of the general assembly.

Sec. . NEW SECTION. 111.79 STATE PARK, FOREST AND RECREATION AREA FACILITIES IMPROVEMENT FUND. All funds credited to the state park, forest and recreation area facilities improvement fund shall be expended on capital improvements in carrying out the provisions of this chapter. Capital improvements may be either new developments or rehabilitative in nature."

3. Title page, line 6, by inserting after the word "stamps" the following: "and requiring that the stamps be sold at face value with two percent of the face value of the stamps sold being credited to a public outdoor recreation and resources fund to be used for carrying out provisions of chapter 111".

Connolly of Dubuque rose on a point of order that amendment H—4161 was not germane.

The Speaker ruled the point well taken and amendment H—4161 not germane.

Connolly of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 543)

The ayes were, 83:

Arnould	Baxter	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Parker	Peick	Pellett	Poncy
Renken	Rensink	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Torrence
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 15:

Anderson	Bennett	Chapman	Davitt
Grandia	Harbor	Jay	Miller
O'Kane	Paulin	Renaud	Rosenberg
Royer	Sullivan	Van Camp	

Absent or not voting, 2:

Pavich	Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 543)

Norland of Worth asked and received unanimous consent to immediately message Senate File 543 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for a committee on finance meeting upon adjournment.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 10, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 341, an act relating to the taking of fish for stocking and exchange.

House File 525, an act to authorize certain persons to file a claim for the property tax credit on behalf of a deceased homeowner.

House File 527, an act to remove the sales tax permit fee.

House File 557, an act relating to the use of the Bankhead-Jones Farm Tenant Act funds by the family farm development authority to insure or guarantee loans made to certain farmers.

Also: That on May 11, 1983, he approved and transmitted to the Secretary of State the following bill:

Senate File 349, an act relating to the definition of "criminal justice agency" and the dissemination of criminal history data.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-three sixth grade students from C and M Elementary School, Cumberland, accompanied by Yvonne Struthers. By Hughes of Union and Pellett of Cass.

Seventy-five ninth grade students from Fairfield Junior High School, Fairfield, accompanied by Mrs. Schwartz, Mrs. Franklin and Mr. Buttery. By Swearingen of Keokuk.

Twelve eighth grade students from St. Bernard Elementary School, Breda, accompanied by Connie Irlbeck. By Anderson of Audubon.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 549, a bill for an act relating to court structure and procedures by appropriating for certain court costs, by increasing certain filing fees, by adding one member to the court of appeals, by allowing a division of the court of appeals to hear cases and petitions, by increasing the fee for filing and docketing a simple misdemeanor, and by appropriating funds for designated legal assistance services, for dispute resolution centers and for additional judicial salaries and support.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4182** May 11, 1983.

Pursuant to House Rule 33, Senate File 549 was referred to the committee on Finance.

Senate File 550, a bill for an act relating to determining the cost of certain state publications.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4186** May 11, 1983.

Pursuant to House Rule 33, Senate File 550 was referred to the committee on Finance.

Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4158** May 11, 1983.

Pursuant to House Rule 33, Senate File 551 was referred to the committee on Finance.

COMMITTEE ON WAYS AND MEANS

Senate File 56, a bill for an act relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property.

Fiscal Note is required.

Recommended **Do Pass** May 11, 1983.

Pursuant to House Rule 33, Senate File 56 was referred to the committee on Finance.

Senate File 92, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse and dog races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

Fiscal Note is required.

Without Recommendation and amendment H—4196 May 11, 1983.

Pursuant to House Rule 33, Senate File 92 was referred to the committee on Finance.

Senate File 524, a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for wages paid or accrued for work done in the state by certain individuals.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—4159** May 11, 1983.

Pursuant to House Rule 33, Senate File 524 was referred to the committee on Finance.

Senate File 544, a bill for an act relating to fees charged to grain dealers and grain warehouse operators by the commerce commission under chapters 542 and 543.

Fiscal Note is required.

Recommended **Do Pass** May 11, 1983.

Pursuant to House Rule 33, Senate File 544 was referred to the committee on Finance.

Senate File 547, a bill for an act providing for the period in which to claim a refund for taxes paid on a lump sum distribution.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

Pursuant to House Rule 33, Senate File 547 was referred to the committee on Finance.

Committee Bill (Formerly Study Bill 337), relating to the direct deposits of revenue and special assessments collected by the county treasurer.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

COMMITTEE ON FINANCE

House File 654, a bill for an act relating to the regulation of radiation machines, radioactive materials and sources of nonionizing radiation and providing a civil penalty for violations.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

House File 658, a bill for an act relating to the direct deposits of revenue and special assessments collected by the county treasurer.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

Senate File 56, a bill for an act relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property.

Fiscal Note is required.

Recommended **Do Pass** May 11, 1983.

Senate File 524, a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for wages paid or accrued for work done in the state by certain individuals.

Fiscal Note is required.

Recommended **Do Pass** May 11, 1983.

Senate File 544, a bill for an act relating to fees charged to grain dealers and grain warehouse operators by the commerce commission under chapters 542 and 543.

Fiscal Note is required.

Recommended **Do Pass** May 11, 1983.

Senate File 547, a bill for an act providing for the period in which to claim a refund for taxes paid on a lump sum distribution.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

AMENDMENTS FILED

H–4158	S.F.	551	Committee on Appropriations
H–4159	S.F.	524	Committee on Ways and Means
H–4162	S.F.	92	Clark of Cerro Gordo
H–4163	S.F.	92	Rosenberg of Story
H–4164	S.F.	92	Rosenberg of Story
H–4165	S.F.	92	Rosenberg of Story
H–4166	H.F.	656	Carl of Poweshiek
H–4167	S.F.	92	Van Maanen of Mahaska
H–4169	S.F.	551	Hammond of Story
Zimmerman of Dallas			Lonergan of Boone
Holveck of Polk			Harbor of Mills
Lageschulte of Bremer			McKean of Jones
Mullins of Kossuth			Chapman of Linn
			Rosenberg of Story
H–4170	S.F.	551	Osterberg of Linn
H–4171	S.F.	551	Koenigs of Mitchell
H–4172	H.F.	652	Spear of Lee
H–4173	S.F.	551	Osterberg of Linn
H–4174	H.F	652	Rosenberg of Story
H–4176	S.F.	524	Clark of Cerro Gordo
			Hummel of Benton
H–4179	H.F.	652	Sherzan of Polk
			Rosenberg of Story
H–4180	H.F.	652	Sherzan of Polk
			Rosenberg of Story
H–4181	S.F.	551	Mullins of Kossuth
H–4182	S.F.	549	Committee on Appropriations
H–4183	S.F.	544	Jay of Appanoose
			Hanson of Delaware
			Knapp of Dubuque
			Peick of Linn
			Zimmerman of Dallas
H–4184	S.F.	551	Van Camp of Scott
Running of Linn			Peick of Linn
Fey of Scott			Sherzan of Polk
Woods of Polk			Ollie of Clinton
Miller of Woodbury			Osterberg of Linn
			Connors of Polk

H—4186	S.F.	550	Committee on Appropriations
H—4187	H.F.	649	Spear of Lee
H—4188	H.F.	649	Spear of Lee
H—4190	S.F.	551	Chapman of Linn
H—4191	S.F.	551	Krewson of Polk Halvorson of Clayton
H—4193	H.F.	644	Senate Amendment
H—4195	S.F.	92	Zimmerman of Dallas
H—4196	S.F.	92	Committee on Ways and Means

On motion by Norland of Worth, the House adjourned at 10:36 p.m., until 9:00 a.m., Thursday, May 12, 1983.

JOURNAL OF THE HOUSE

One Hundred Twenty-third Calendar Day—Eightieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, May 12, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Walter Cunningham, Jr., Speaker's Page from Waterloo.

The Journal of Wednesday, May 11, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pavich of Pottawattamie on request of Speaker Avenson; Lonergan of Boone, until her arrival, on request of Arnould of Scott.

PETITION FILED

The following petition was received and placed on file:

By Poncy of Wapello, from one hundred fifteen constituents of the 65th District opposing House File 625, relating to the funding of substance abuse programs and services.

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, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 636, a bill for an act to allow the state department of transportation to issue until June 30, 1986, annual special permits for the operation of compacted rubbish vehicles and vehicles which transport compacted rubbish from the point of collection to a landfill area, which vehicles have a rear axle gross weight for two-axle vehicles not exceeding twenty-two thousand pounds.

K. MARIE THAYER, Secretary

HOUSE FILE 17 WITHDRAWN

Spear of Lee asked and received unanimous consent to withdraw House File 17 from further consideration by the House.

HOUSE FILES WITHDRAWN

Corey of Louisa asked and received unanimous consent to withdraw House Files 311, 367 and 455 from further consideration by 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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON FINANCE

Senate File 92, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse and dog races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts.

Fiscal Note is required.

Recommended **Do Pass** May 11, 1983.

Senate File 537, a bill for an act to provide tax levy for equipment replacement for area schools.

Fiscal Note is required.

Reconsidered and Recommended **Do Pass** May 11, 1983.

Senate File 545, a bill for an act relating to registration, elections and the Iowa election campaign fund.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

Senate File 549, a bill for an act relating to court structure and procedures by appropriating for certain court costs, by increasing certain filing fees, by adding one member to the court of appeals, by allowing a division of the court of appeals to hear cases and petitions, by increasing the fee for filing and docketing a simple misdemeanor, and by appropriating funds for designated legal assistance services, for dispute resolution centers and for additional judicial salaries and support.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

Senate File 550, a bill for an act relating to determining the cost of certain state publications.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

Committee Bill (Formerly Study Bill 345), to provide for the transfer of funds received from the use tax on motor vehicles and trailers to the special railroad facility fund to assist in the acquisition of railroad right-of-way and providing for the repayment of these funds from receipts credited to the special railroad facility fund.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 649 and Senate Files 549, 550, 551 and 547.

CONSIDERATION OF BILLS
Regular Calendar

House File 649, a bill for an act relating to action by the board of parole concerning parole interviews and parole revocations, with report of committee recommending amendment and passage was taken up for consideration.

Jay of Appanoose offered the following amendment H–4135 filed by the committee on judiciary and law enforcement:

H–4135

1 Amend House File 649 as follows:

1. Page 1, by striking lines 1 through 18 and inserting in lieu thereof the following:

"Section 1. Section 904.1, Code 1983, is amended to read as follows:

904.1 BOARD OF PAROLE. The board of parole shall consist of seven electors of the state. Not more than four members shall belong to the same political party. ~~At least three members shall be practicing attorneys at law at the time of appointment.~~ Each member shall serve a term of five years beginning and ending as provided by section 69.19, except appointees to fill vacancies who shall serve for the balance of the unexpired term. The chairperson of the board shall be elected by the members of the board to a term of one year and may serve more than one term. A majority of the members of the board constitutes a quorum to transact business. However, the board shall be divided into hearing panels of three or more members to interview and consider inmates for parole and to conduct parole revocation hearings. A majority vote of the members of the hearing panel is required to grant ~~or revoke~~ a parole, however, a parole shall not be granted ~~or revoked~~ without the affirmative votes of at least three members of the full board. Unless a request is made pursuant to section 908.7, unnumbered paragraph 2, for the convening of a hearing panel of the board, parole may be revoked pursuant to section 908.7 or 908.8 by a member of the board. If a request is made pursuant to section 908.7, unnumbered paragraph 2, a majority vote of the members of the hearing panel is required to revoke a parole and the parole shall not be revoked without the affirmative votes of at least three members of the full board.

Sec. 2. Section 904.5, Code 1983, is amended to read as follows:

904.5 ADMINISTRATION OF BOARD OF PAROLE. The board of parole shall be responsible directly to the governor. The board of parole shall appoint an executive secretary and employ a clerical staff sufficient to carry on the necessary duties of the board. The executive secretary shall be an attorney-at-law. The board shall employ not less than four persons who shall serve as liaison personnel between the board, inmates and staff at the state's penal and correctional facilities and who shall perform other duties designated by the board of parole. The board shall submit to the state comptroller an estimate of the funds needed for salaries, maintenance, and

Page 2

office supplies at the time and in the manner provided by section 8.23."

2. Page 1, by striking lines 21 through 26 and inserting in lieu thereof the following:

"Within one year after the commitment of ~~any~~ a person other than a class "A" felon to the custody of the director of the division of adult corrections, a member of the board shall interview the person. Thereafter, at regular intervals, not to exceed ~~one year~~ fifteen months, the board shall".

3. Page 3, by inserting after line 28 the following:

"Sec. . There shall be established a joint subcommittee composed of members of the house committee on judiciary and law enforcement, the senate committee on judiciary and the house and senate appropriations subcommittees on corrections and mental health, to study, during the 1983-1984 legislative interim, sentencing and the operation of the board of parole. The board of parole shall make recommendations by September 1, 1983 to the chairpersons of this interim subcommittee, and to the chairpersons of the standing committees on judiciary and law enforcement and judiciary concerning the establishment of a "classified sentencing system" whereby the board of parole would adopt rules pursuant to chapter 17A, as to the timing and frequency of parole interviews and paroles, as to the shortest possible time of incarceration which an offender shall serve prior to eligibility for release on parole, and as to the length and conditions of paroles, these rules taking into consideration the offender's past conviction record including the number of prior forcible felonies, nonforcible felonies, and aggravated misdemeanors, the length of time since conviction for the prior offenses, use of a firearm in the commission of the offense, and other relevant factors. The joint subcommittee shall make a report of its recommendations, accompanied by any legislative bill drafts to implement its recommendations, to the legislative council and to the general assembly meeting in 1984."

4. By renumbering to conform to this amendment.

Spear of Lee offered the following amendment H—4188, to the committee amendment H—4135, filed by him and moved its adoption:

H—4188

Amend amendment H—4135 to House File 649 as follows:
1. Page 1, by striking lines 33 through 35 and inserting in lieu thereof the following: "is required to revoke a parole."

A non-record roll call was requested.

The ayes were 18, nays 59.

Amendment H—4188 lost.

Spear of Lee offered the following amendment H—4200, to the committee amendment H—4135, filed by him from the floor and moved its adoption:

H—4200

Amend the amendment, H—4135, to House File 649 as follows:
1. Page 2, line 10, by inserting after the word "board" the words "or panel of the board".

Amendment H—4200 was adopted.

On motion by Jay of Appanoose, the committee amendment H—4135, as amended, was adopted.

Spear of Lee offered amendment H—4198 filed by him from the floor and requested division as follows:

H—4198

Amend House File 649 as follows:

H—4198A

1. Page 1, line 26, by inserting after the word "board" the words "or panel of the board".

H—4198B

2. Page 1, line 28, by inserting after the word "board" the words "or panel of the board".

Spear of Lee asked and received unanimous consent to withdraw amendment H—4198A.

On motion by Spear of Lee, amendment H—4198B was adopted.

Spear of Lee offered the following amendment H—4187 filed by him and moved its adoption:

H—4187

Amend House File 649 as follows:
1. Page 2, line 30, by striking the word "in".

Amendment H—4187 was adopted.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 649)

The ayes were, 89:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Peick	Poncy
Renaud	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 8:

Clark	De Groot	Hummel	Paulin
Pellett	Renken	Rensink	Welden

Absent or not voting, 3:

Lonergan Pavich Tabor

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 649)

Norland of Worth asked and received unanimous consent to immediately message House File 649 to the Senate.

Senate File 549, a bill for an act relating to court structure and procedures by appropriating for certain court costs, by increasing certain filing fees, by adding one member to the court of appeals, by allowing a division of the court of appeals to hear cases and petitions, by increasing the fee for filing and docketing a simple misdemeanor, and by appropriating funds for designated legal assistance services, for dispute resolution centers and for additional judicial salaries and support, with report of committee recommending amendment and passage was taken up for consideration.

Jay of Appanoose asked and received unanimous consent that Senate File 549 be temporarily deferred and that the bill retain its place on the calendar.

Sherzan of Polk in the chair at 10:37 a.m.

SENATE AMENDMENT CONSIDERED

Knapp of Dubuque called up for consideration **House File 644,** a bill for an act to appropriate the principal, interest and earnings from the special fund for the Herrick bequest to certain projects, amended by the Senate, and moved that the House concur in the following Senate amendment H–4193:

H–4193

Amend House File 644 as follows:
1. Page 1, by inserting after line 28 the following:
"Sec. 3. 1982 Iowa Acts, chapter 1265, sections 1, 2, and 4, are amended to read as follows:

SECTION 1. The funds bequeathed by Mr. Glenn Grover Herrick from his estate are accepted and shall be deposited in a special fund in the state treasury and the principal and interest and earnings of ~~such~~ the funds ~~be~~ are subject to appropriation for the construction of a new state historical building or center. ~~Interest or earnings from the investment of the principal of the special fund shall be appropriated annually, consistent with the terms of the bequest, for projects other than a new state historical building or center as selected by the general assembly and approved by the governor upon recommendations by the committee created in section 4 of this Act.~~

SEC. 2. The capitol planning commission ~~shall be~~ is primarily responsible for the planning of the new historical building or center but shall consult with the state historical department, the state historical society, ~~the committee created in section 4 of this Act,~~ and other persons it determines can provide useful information for planning the building or center.

SEC. 4. Interest or earnings from investments of the funds in the special fund shall be credited to the special fund and invested in the manner provided in section 453.7. ~~The governor shall appoint a committee to make recommendations to the general assembly annually regarding the disposition of interest or earnings credited to the special fund that are subject to appropriation for other projects. The committee shall be composed of two members of the senate, two members of the house of representatives and five citizens of the state. Not more than one senator, one representative and three of the citizens, respectively, shall be members of the same political party.~~"

2. Title, by striking lines 1 through 3 and inserting in lieu thereof the words "An act relating to the principal, interest and earnings on the special fund created for the bequest of Glenn Grover Herrick."

The motion prevailed and the House concurred in the Senate amendment H—4193.

Halvorson of Clayton asked and received unanimous consent to reconsider the vote by which the House concurred in the Senate amendment H—4193.

Knapp of Dubuque moved that the House concur in the Senate amendment H—4193.

A non-record roll call was requested.

The ayes were 76, nays 10.

The motion prevailed and the House concurred in the Senate amendment H—4193.

Knapp of Dubuque moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 644)

The ayes were, 95:

Anderson	Arnould	Avenson	Baxter
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Sherzan)	

The nays were, 1:

Hummel

Absent or not voting, 4:

Doderer	Lonergan	Pavich	Shoultz

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 550, a bill for an act relating to determining the cost of certain state publications, with report of committee recommending amendment and passage was taken up for consideration.

Carter of Henry offered the following amendment H—4186 filed by the committee on appropriations and moved its adoption:

H—4186

Amend Senate File 550 as follows:

1. Page 1, line 14, by inserting after the word "rules," the words "which shall consist of".

2. Page 2, by striking lines 7 and 8 and inserting in lieu thereof the following:

"1. Code or its supplements ~~thereto and~~, the Iowa administrative code or its supplements, and the Iowa administrative bulletin."

3. Page 2, by striking lines 24 through 30 and inserting in lieu thereof the following: "Iowa administrative bulletin and for the Code. ~~The price charged for the Iowa administrative code, its supplements or the Iowa administrative bulletin shall represent the cost of compiling and indexing plus the amount charged for the printing and distribution.~~"

The committee amendment H—4186 was adopted.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 550)

The ayes were, 81:

Arnould	Avenson	Baxter	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
Diemer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright

Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	McIntee	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Poncy	Renaud	Rosenberg
Royer	Running	Schnekloth	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Camp
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker (Sherzan)			

The nays were, 15:

Anderson	Bennett	Branstad	De Groot
Grandia	Maulsby	McKean	Menke
Mullins	Pellett	Renken	Rensink
Schroeder	Van Maanen	Welden	

Absent or not voting, 4:

Connolly	Doderer	Lonergan	Pavich

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Avenson in the chair at 10:58 a.m.

IMMEDIATE MESSAGE
(Senate File 550)

Norland of Worth asked and received unanimous consent to immediately message Senate File 550 to the Senate.

ADOPTION OF CONFERENCE COMMITTEE REPORT
(House File 627)

Baxter of Des Moines called up for consideration the report of the conference committee on House File 627 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 627

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 627, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code, respectfully make the following report:

1. That the Senate recede from its amendment.

2. That House File 627, as amended, passed, and reprinted by the House, be amended as follows:

1. Page 1, line 14, by striking the letter "a."

2. Page 1, line 17, by striking the figure "469,706" and inserting in lieu thereof the figure "479,706".

3. Page 1, by striking lines 18 through 21.

4. Page 1, line 26, by striking the figure "2,757,758" and inserting in lieu thereof the figure "2,777,758".

5. By striking page 2, line 22 through page 3, line 30.

6. Page 5, line 4, by inserting after the word "appropriated." the following: "However, in expending funds appropriated under this subsection, the department of general services shall provide lighting in each work area which is suitable to the type of work and the needs of the employee assigned to the work area."

7. Page 5, line 11, by striking the figure "769,782" and inserting in lieu thereof the figure "819,782".

8. Page 8, by inserting after line 3 the following: "The senate majority and minority leaders shall appoint a five-person committee to study the office of lieutenant governor to determine the duties and responsibilities of the office and make recommendations to the senate."

9. Page 9, line 29, by striking the letter "a."

10. By striking page 9, line 34 through page 10, line 24.

11. Page 11, by striking lines 10 and 11 and inserting in lieu thereof the words "the legislative council."

ON THE PART OF THE HOUSE:
ELAINE BAXTER, Chair
DANIEL P. FOGARTY
WILLIAM R. SULLIVAN
WARD HANDORF
SUE MULLINS

ON THE PART OF THE SENATE:
WILLIAM W. DIELEMAN, Chair
PATRICK J. DELUHERY
CHARLES P. MILLER
DOUGLAS RITSEMA
FORREST V. SCHWENGELS

The motion prevailed and the report was adopted.

Baxter 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. 627)

The ayes were, 94:

Anderson	Arnould	Baxter	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

Maulsby	Menke	Tofte	Welden

Absent or not voting, 2:

Harbor	Pavich

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message House File 627 and Senate File 533 to the Senate.

Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects, with report of committee recommending amendment and passage was taken up for consideration.

Menke of O'Brien in the chair at 11:17 a.m.

Jochum of Dubuque offered the following amendment H–4158 filed by the committee on appropriations:

H–4158

Amend Senate File 551 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 13, by inserting after the figure "377," the words "to the energy policy council,".

2. Page 1, by striking line 20 and inserting in lieu thereof the words "of eight million eight hundred thirty thousand (8,830,000)".

3. Page 2, by striking lines 6 through 8.

4. Page 2, line 23, by striking the figure "2" and inserting in lieu thereof the figure "3".

5. Page 3, by inserting after line 7 the following section:

"Sec. . If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the unexpended funds appropriated by this division are included in the estimated budget resources. Upon inclusion of the unexpended funds appropriated in this division in the estimated budget resources, the capital projects shall be terminated if the termination will not result in increased future expenditures for the project being terminated, and any funds not encumbered for the capital projects shall remain in the general fund of the state and shall not be expended for the capital projects.

If upon inclusion of the funds appropriated by this division in the estimated budget resources for the fiscal year beginning July 1, 1983 and ending June 30, 1984 as authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may

make the reductions of allotments allowed under section 8.31."

6. Page 5, line 4, by striking the figures and word "5 and 6" and inserting in lieu thereof the figures and word "6 and 7".

7. Page 6, by inserting after line 19 the following:

"i. For moving of the auditor of state's and the treasurer of state's staff and furnishings ..... $50,000".

8. Page 7, line 22, by striking the figure "9" and inserting in lieu thereof the figure "10".

9. Page 8, line 19, by striking the figure "12"

Page 2

and inserting in lieu thereof the figure "13".

10. Page 8, line 22, by striking the figure "12" and inserting in lieu thereof the figure "13".

11. By striking page 8, line 29 through page 9, line 11 and inserting in lieu thereof the following:

"Sec. . If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotments as allowed under section 8.31 until the actions authorized by this section have been taken.

The governor shall examine allotments to state agencies for utility expenses and direct all state agencies to initiate appropriate measures to attain a reduction of five million in utility expenses for all state agencies. The governor shall also direct state agencies to develop an energy conservation plan in consultation with the energy policy council, or show proof that the agency is implementing or has implemented an energy conservation plan which has been approved by the energy policy council.

If upon completion of this action the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31."

12. Page 9, by inserting after line 29 the following section:

"Sec. . There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1983 and ending June 30, 1984 the following amount, or so much thereof

as necessary, to be used for the purposes designated:

	1983-1984 Fiscal Year
For a hard surface parking lot at highway patrol post 11 in Cedar Rapids	$ 25,000".

13. Amend the title, line 2, by inserting before the word "for" the words "relating to and".

Jochum of Dubuque offered the following amendment H—4204, to the committee amendment H—4158, filed by him from the floor and moved its adoption:

H—4204

Amend amendment H—4158 to Senate File 551 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by inserting after line 42 the following:

" . Page 6, line 4, by striking the number "500,000" and inserting in lieu thereof the number "250,000"."

2. Page 1, by striking lines 46 and 47 and inserting in lieu thereof the following:

"of state's staff and furnishings $125,000

j. For moving of the treasurer of state's staff and furnishings ..... $125,000".

A non-record roll call was requested.

The ayes were 54, nays 40.

Amendment H—4204 was adopted.

Mullins of Kossuth offered the following amendment H—4181, to the committee amendment H—4158, filed by her:

H—4181

Amend amendment H—4158 to Senate File 551 as amended, passed and reprinted by the Senate as follows:

1. Page 2, by striking line 17, and inserting in lieu thereof the following: "a reasonable reduction in utility expenses for".

2. Page 2, line 19, by striking the word "develop" and inserting in lieu thereof the words "renew and update".

The following amendment H—4209, to amendment H—4181, (to the committee amendment H—4158) filed from the floor by Mullins of Kossuth, was adopted by unanimous consent:

H—4209

Amend amendment H—4181 to amendment H—4158 to Senate File 551 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 8, by striking the word "renew" and inserting in lieu thereof the word "review".

Speaker Avenson in the chair at 11:38 a.m.

Mullins of Kossuth moved the adoption of amendment H—4181, as amended, to the committee amendment H—4158.

Amendment H—4181 lost.

Osterberg of Linn offered the following amendment H—4173, to the committee amendment H—4158, filed by him and moved its adoption:

H—4173

Amend amendment H—4158 to Senate File 551 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, by striking lines 30 through 42.

2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 26, nays 55.

Amendment H—4173 lost.

(Senate File 551 and the committee amendment H—4158 pending at recess.)

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for a committee on judiciary and law enforcement meeting upon recess.

HOUSE CONCURRENT RESOLUTION 34

By Cochran, Davitt, Fogarty, Gruhn, Hughes, Halvorson of Webster, Muhlbauer and Skow

Whereas, the agriculture industry in the state of Iowa affects the employment of a substantial portion of the population not directly involved in farming; and

Whereas, individual farm income and farmland values are declining, and farm mortgage foreclosures and farm bankruptcies are increasing, due in part to the lowest parity prices for agricultural products since the great depression; and

Whereas, the inability of individual producers to secure a reasonable return for agricultural products grown in the state of Iowa threatens the entire state economy; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is requested to appoint an interim subcommittee composed of members from the house and senate standing committees on agriculture to study the plan to establish a minimum price for certain agricultural commodities sold within the state as set forth in House Study Bill 186.

Laid over under Rule 25.

HOUSE RESOLUTION 13

By Renken, Schnekloth, Stueland, Handorf, Corey, Halvorson of Clayton, Pellett, Maulsby, Harbor, Royer and Hanson

Whereas, collective bargaining for public employees was enacted by the general assembly and became effective in 1975; and

Whereas, there has been little effort made during the intervening years to determine the costs of collective bargaining for public employees at all levels of government in this state, including schools, counties, cities, and the state; and

Whereas, fiscal notes on two bills proposing to widen the scope of collective bargaining (Senate File 476 and House File 77) state that "there would be

some additional expenditures required"; *Now Therefore,*

Be It Resolved by the House of Representatives,

That the legislative council authorize a study committee of not more than ten members representing both political parties from the committees on appropriations, state government, and education, using appropriate personnel and facilities of the legislative service bureau and the legislative fiscal bureau to determine the costs to taxpayers of the effect of collective bargaining on all levels of government in this state.

Be It Further Resolved, That a report of the study be prepared and made available to the appropriate standing committees of the general assembly in January, 1984.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 12:05 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SENATE FILE 551 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 551 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS
Ways and Means Calendar

Senate File 547, a bill for an act providing for the period in which to claim a refund for taxes paid on a lump sum distribution, with report of committee recommending passage was taken up for consideration.

O'Kane 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. 547)

The ayes were, 94:

Anderson	Arnould	Bennett	Black
Blanshan	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Brammer	Connors	Krewson
Oxley	Pavich		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES
(House File 641 and Senate File 547)

Norland of Worth asked and received unanimous consent to immediately message House File 641 and Senate File 547 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 552 and 545.

Senate File 552, a bill for an act relating to the date of precinct caucuses of the political parties, with report of committee recommending passage was taken up for consideration.

Arnould 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. 552)

The ayes were, 93:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 3:

Corey	Spear	Welden

Absent or not voting, 4:

Baxter	Muhlbauer	Paulin	Pavich

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:

Baxter of Des Moines, until her arrival, on request of Varn of Johnson.

HOUSE FILES WITHDRAWN
(House Files 331 and 565)

Varn of Johnson asked and received unanimous consent to withdraw House Files 331 and 565 from further consideration by the House.

IMMEDIATE MESSAGE
(Senate File 552)

Norland of Worth asked and received unanimous consent to immediately message Senate File 552 to the Senate.

The House resumed consideration of **Senate File 549**, a bill for an act relating to court structure and procedures by appropriating for certain court costs, by increasing certain filing fees, by adding one member to the court of appeals, by allowing a division of the court of appeals to hear cases and petitions, by increasing the fee for filing and docketing a simple misdemeanor, and by appropriating funds for designated legal assistance services, for dispute resolution centers and for additional judicial salaries and support, previously deferred.

Connors of Polk in the chair at 1:37 p.m.

Carter of Henry offered the following amendment H–4182 filed by the committee on appropriations and moved its adoption:

H–4182

Amend Senate File 549, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 8, by striking the figure and word "1. COURTS" and inserting in lieu thereof the words "JUDICIAL DEPARTMENT".

2. Page 1, line 12, by striking the words "To employ additional staff" and inserting in lieu thereof the words "For salaries and support".

3. Page 1, line 14, by striking the words "to undertake" and inserting in lieu thereof the words "for conducting".

4. Page 1, by striking line 34.

5. Page 2, line 16, by striking the word "existing".

6. Page 2, line 19, by striking the number "100,000" and inserting in lieu thereof the number "75,000".

7. Page 2, lines 21 and 22, by striking the words "continue or improve".

8. By relettering as necessary.

The committee amendment H—4182 was adopted.

Welden of Hardin offered the following amendment H—4203 filed by him from the floor and moved its adoption:

H—4203

Amend Senate File 549 as amended, passed and reprinted by the Senate as follows:

1. By striking page 1, line 35 through page 2, line 15 and inserting in lieu thereof the following:

"For the payment of grants to".

Amendment H—4203 lost.

Chapman of Linn offered the following amendment H—4208 filed by her from the floor and moved its adoption:

H—4208

Amend Senate File 549 as amended, passed, and reprinted by the Senate, as follows:

1. Page 6, by inserting after line 10 the following:

"Sec. . Section 684.51, Code 1983, is amended to read as follows:

684.51 LAW CLERKS. The court of appeals may employ not more than ~~five~~ six attorneys or graduates of a reputable law school as defined in section 610.2, to act as legal assistants to the court. Salaries shall be as prescribed by the court administrator."

2. Page 10, by inserting after line 24 the following:

"Sec. . 1983 Iowa Acts, Senate File 495, section 6203, if Senate File 495 becomes law, is amended to read as follows:

Sec. 6203. NEW SECTION. 602.6203 LAW CLERKS.
The court of appeals may employ not more than ~~five~~ six attorneys or graduates of a reputable law school to act as legal assistants to the court."
3. By renumbering as necessary.

Amendment H—4208 was adopted.

Chapman of Linn offered the following amendment H—4217 filed from the floor by her and Jay of Appanoose and moved its adoption:

H—4217

Amend Senate File 549 as amended, passed, and reprinted by the Senate, as follows:
1. Page 4, by striking lines 3 through 5 and inserting in lieu thereof the following:
"c. In small claims actions, in addition to the filing fee specified in section 631.6, the following fees shall be charged for the following services:
(1) For a cause tried by the court, two dollars and fifty cents.
(2) For an equity case, three dollars.
(3) For an injunction or other extraordinary process or order, five dollars.
(4) For a cause continued on application of a party by affidavit, two dollars.
(5) For a continuance, one dollar.
(6) For entering a final judgment or decree, one dollar and fifty cents.
(7) For taxing costs, one dollar.
(8) For issuing an execution or other process after judgment or decree, two dollars.
(9) For filing and docketing a transcript of judgment from another county, one dollar.
(10) For entering a rule or order, one dollar.
(11) For issuing a writ or order, not including subpoenas, two dollars.
(12) For entering a judgment by confession, two dollars.
(13) For entering a satisfaction of a judgment, one dollar.
(14) For a copy of records or papers filed in the clerk's office, transcripts, and making a complete record, fifty cents for each one hundred words.
(15) For taking and approving a bond and sureties on the bond, two dollars."
2. Page 11, by striking lines 25 through 27 and inserting in lieu thereof the following:

"c. In small claims actions, in addition to the filing fee specified in section 631.6, the following fees shall be charged for the following services:

(1) For a cause tried by the court, two dollars and fifty cents.

(2) For an equity case, three dollars.

(3) For an injunction or other extraordinary process or order, five dollars.

(4) For a cause continued on application of a party by affidavit, two dollars.

(5) For a continuance, one dollar.

(6) For entering a final judgment or decree, one dollar and fifty cents.

(7) For taxing costs, one dollar.

Page 2

(8) For issuing an execution or other process after judgment or decree, two dollars.

(9) For filing and docketing a transcript of judgment from another county, one dollar.

(10) For entering a rule or order, one dollar.

(11) For issuing a writ or order, not including subpoenas, two dollars.

(12) For entering a judgment by confession, two dollars.

(13) For entering a satisfaction of a judgment, one dollar.

(14) For a copy of records or papers filed in the clerk's office, transcripts, and making a complete record, fifty cents for each one hundred words.

(15) For taking and approving a bond and sureties on the bond, two dollars."

Amendment H−4217 was adopted.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 549)

The ayes were, 75:

Arnould	Avenson	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Connolly	Cooper	Corey
Diemer	Doderer	Fey	Fogarty

Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Miller	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Peick	Poncy	Renaud	Rosenberg
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Camp	Van Gerpen	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

The nays were, 23:

Anderson	Branstad	Cochran	Copenhaver
Daggett	Davitt	De Groot	Grandia
Handorf	Harbor	Maulsby	Menke
Muhlbauer	Oxley	Pellett	Renken
Rensink	Royer	Skow	Stueland
Tofte	Van Maanen	Welden	

Absent or not voting, 2:

Baxter	Pavich

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 549)

Norland of Worth asked and received unanimous consent to immediately message Senate File 549 to the Senate.

BUSINESS PENDING AT RECESS

The House resumed consideration of **Senate File 551**, a bill for an act relating to and making appropriations to state agencies for capital projects, and the committee amendment H—4158, as amended.

Hammond of Story offered the following amendment H—4216, to the committee amendment H—4158, filed by her from the floor and moved its adoption:

H–4216

Amend amendment H–4158 to Senate File 551 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 6 and 7 and inserting in lieu thereof the following: "lieu thereof the words "of eight million nine hundred fifty-five thousand (8,955,000)".

Roll call was requested by Hammond of Story and Chapman of Linn.

On the question "Shall amendment H–4216 be adopted?"

The ayes were, 67:

Anderson	Avenson	Bennett	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Doderer	Fey	Grandia	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Peick
Pellett	Renken	Rensink	Rosenberg
Royer	Schnekloth	Sherzan	Shoultz
Skow	Stromer	Stueland	Swearingen
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Zimmerman	Mr. Speaker (Connors)	

The nays were, 31:

Arnould	Black	Blanshan	Branstad
Chiodo	Cochran	Connolly	Diemer
Fogarty	Groninga	Gronstal	Groth
Halvorson, R. N.	Jochum	Knapp	Koenigs
Menke	Muhlbauer	Parker	Poncy
Renaud	Running	Schroeder	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Welden	Woods	

Absent or not voting, 2:

Baxter	Pavich

Amendment H–4216 was adopted.

On motion by Jochum of Dubuque, the committee amendment H—4158, as amended, was adopted.

Speaker Avenson in the chair at 3:00 p.m.

Van Camp of Scott offered the following amendment H—4184 filed by Van Camp, et al. :

H—4184

Amend Senate File 551, as passed by the Senate, as follows:

1. Page 1, by inserting after line 1 the following:

"Section 1. It is the intent of the general assembly that each capital project authorized under this Act be contracted at the prevailing wage of the community in which the contract is let.

Sec. 2 For purposes of this Act, "prevailing wage" means the rate of wage paid for work of a similar nature in the locality in which the work under a contract is being performed. If a dispute arises as to what are the prevailing rates of wages for work of a similar nature applicable to a contract, which cannot be adjusted by the contracting officer, the dispute shall be referred to the labor commissioner, and the labor commissioner's decision shall be conclusive on all parties to the contract. The labor commissioner shall adopt rules under chapter 17A to carry out this duty. The labor commissioner may institute actions in the district court for temporary or permanent injunctive relief to prevent the letting of a public contract or to void a public contract which is let or entered into in violation of this Act. An action shall be instituted in the district court of the county of location of the project. Notwithstanding Iowa rules of civil procedure 326, if the district court determines the granting of a temporary injunction is appropriate, the court shall issue it without notice and hearing. The prevailing rates of wages shall be stated in the invitation for bids and shall be included in proposals or bids for the work."

2. By renumbering as necessary.

Chapman of Linn offered the following amendment H—4190, to amendment H—4184, filed by her and moved its adoption:

H–4190

Amend the amendment H–4184 to Senate File 551 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 26 through 29 and inserting in lieu thereof the words "The prevailing".

Amendment H–4190 was adopted.

Blanshan of Greene rose on a point of order that amendment H–4184 was not germane.

The Speaker ruled the point well taken and amendment H–4184 not germane.

Van Camp of Scott asked for unanimous consent to suspend the rules to consider amendment H–4184.

Objection was raised.

Van Camp of Scott moved that the rules be suspended to consider amendment H–4184.

Roll call was requested by Running of Linn and Van Camp of Scott.

Rule 76 was invoked.

On the question "Shall the rules be suspended to consider amendment H–4184, as amended?"

The ayes were, 37:

Anderson	Brammer	Branstad	Chapman
Connors	Fey	Groninga	Handorf
Haverland	Hermann	Hoffmann-Bright	Holveck
Jay	Knapp	Krewson	Lloyd-Jones
Lonergan	Maulsby	McKean	Miller
Ollie	Osterberg	Peick	Poncy
Renaud	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swearingen	Torrence	Van Camp	Woods
Zimmerman			

The nays were, 59:

Arnould	Bennett	Black	Blanshan
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fogarty
Grandia	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hughes	Hummel	Jochum
Koenigs	Lageschulte	McIntee	Menke
Muhlbauer	Mullins	Norland	O'Kane
Oxley	Parker	Paulin	Pellett
Renken	Rensink	Rosenberg	Royer
Schnekloth	Schroeder	Stueland	Swartz
Tabor	Tofte	Van Gerpen	Van Maanen
Varn	Welden	Mr. Speaker	

Absent or not voting, 4:

Baxter	Buhr	Pavich	Stromer

The motion lost.

Hammond of Story offered the following amendment H—4169 filed by Hammond, et al. Division was requested as follows:

H—4169

Amend Senate File 551 as amended, passed and reprinted by the Senate as follows:

H—4169A

1. Page 1, by striking line 20, and inserting in lieu thereof the following: "of nine million thirty thousand (9,030,000)".

H—4169B

2. Page 2, by inserting after line 8, the following:

"d. Planning for the college of home economics, with a maximum appropriation of $125,000, to be matched by the college of home economics."

Hammond of Story asked and received unanimous consent to withdraw amendment H—4169A.

On motion by Hammond of Story, amendment H—4169B was adopted.

Buhr of Polk in the chair at 3:17 p.m.

Krewson of Polk offered the following amendment H–4191 filed by him and Halvorson of Clayton and moved its adoption:

H–4191

Amend Senate File 551 as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, line 20, by striking the figures "852,000" and inserting in lieu thereof the figures "1,022,000".

Amendment H–4191 was adopted.

Osterberg of Linn asked and received unanimous consent to defer action on amendment H–4170.

Koenigs of Mitchell offered the following amendment H–4171 filed by him and moved its adoption:

H–4171

Amend Senate File 551 as amended, passed, and reprinted by the Senate, as follows:

1. Page 9, by striking lines 19 through 29.

A non-record roll call was requested.

The ayes were 30, nays 60.

Amendment H–4171 lost.

Osterberg of Linn offered the following amendment H–4170, previously deferred, filed by him and moved its adoption:

H–4170

Amend Senate File 551 as amended, passed and reprinted by the Senate, as follows:

1. Page 9, line 19, by striking the word "funds" and inserting in lieu thereof the word "fund".

2. Page 9, lines 23 and 24, by striking the words "Iowa and an armory in Washington,".

3. Page 9, by striking line 27.

4. Page 9, line 29, by striking the number "530,000" and inserting in lieu thereof the number "368,600".

Amendment H–4170 lost.

Speaker Avenson in the chair at 3:48 p.m.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 551)

The ayes were, 93:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Torrence	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 4:

Branstad	Grandia	Maulsby	Welden

Absent or not voting, 3:

Baxter	Groth	Pavich

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 551)

Norland of Worth asked and received unanimous consent to immediately message Senate File 551 to the Senate.

Senate File 545, a bill for an act relating to registration, elections, and the Iowa election campaign fund, with report of committee recommending passage was taken up for consideration.

Halvorson of Webster offered the following amendment H–4219 filed from the floor by him and Halvorson of Clayton and moved its adoption:

H–4219

Amend Senate File 545 as amended, passed and reprinted by the Senate, as follows:

1. Page 4, line 6, by inserting after the word "dollars." the words "In the case of a joint return of husband and wife, each spouse may direct that an additional two dollars be paid over to the choice made by that person in subsection 1."

2. Page 4, by inserting after line 6 the following:

"3. If the refund due on the return or the payment remitted with the return is insufficient to pay the additional two dollars designated by each taxpayer, the amount designated shall be reduced to the amount of refund or the amount remitted with the return that is greater than the taxes due under division II of chapter 422.

The action taken by a person for the checkoff is irrevocable.

However, before a checkoff pursuant to subsection 2 of the section shall be permitted, all liabilities on the books of the department of revenue, accounts identified as owing under section 421.17 and the checkoff permitted under section 107.16 shall be satisfied."

3. Page 6, by inserting after line 2 the following:

"Sec. 11. The provisions of section 8 of this Act shall be effective for tax years beginning on or after January 1, 1983 and to this extent, the provisions of this section are retroactive to January 1, 1983."

Amendment H–4219 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.

On the question "Shall the bill pass?" (S.F. 545)

The ayes were, 81:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Davitt
Diemer	Doderer	Fey	Fogarty
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Koenigs	Krewson	Lageschulte
Lloyd-Jones	McIntee	McKean	Miller
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Poncy	Renaud	Renken	Rosenberg
Royer	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Torrence	Van Gerpen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 9:

Daggett	De Groot	Grandia	Maulsby
Menke	Pellett	Rensink	Schnekloth
Van Maanen			

Absent or not voting, 10:

Baxter	Chapman	Groninga	Knapp
Lonergan	Muhlbauer	O'Kane	Pavich
Running	Van Camp		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 545)

Norland of Worth asked and received unanimous consent to immediately message Senate File 545 to the Senate.

On motion by Norland of Worth the House was recessed at 4:05 p.m.

The House reconvened at 5:07 p.m., Speaker Avenson 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 May 12, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 637, a bill for an act relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, and to changes in Iowa's unemployment law to conform with federal law.

Also: That the Senate has, on May 12, 1983, adopted the conference committee report and passed Senate File 496, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties.

K. MARIE THAYER, Secretary

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 537.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 496)

Tabor of Jackson called up for consideration the report of the conference committee on Senate File 496 and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 496

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the first conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 496, a bill for an act relating to the promotion of the sexual exploitation of children and providing penalties, respectfully make the following report:

1. That the House recedes from its amendment, S–3587, to Senate File 496, as amended, passed and reprinted by the Senate.

2. That Senate File 496 as amended, passed and reprinted by the Senate, is amended to read as follows:

1. Page 1, line 5, by inserting after the word "transmute" the word ", transmit".

2. Page 1, by inserting after line 7 the following:

"Sec. . Section 728.3, Code 1983, is amended to read as follows:

728.3 ADMITTING MINORS TO PREMISES WHERE OBSCENE MATERIAL IS EXHIBITED.

1. ~~Any~~ A person who knowingly sells, gives, delivers, or provides a minor who is not a child with a pass or admits ~~a~~ the minor to premises where obscene material is exhibited is guilty of a public offense and ~~shall~~ upon conviction ~~be~~ is guilty of a serious misdemeanor.

2. ~~A~~ person who knowingly sells, gives, delivers, or provides a child with a pass or admits a child to a premise where obscene material is exhibited is guilty of a public offense and upon conviction is guilty of an aggravated misdemeanor."

3. Page 1, by inserting after line 35 the following:

"However, this section does not apply to law enforcement officers, court personnel, licensed physicians, licensed psychologists, or attorneys in the performance of their official duties."

4. By renumbering to conform to this amendment.

ON THE PART OF THE HOUSE:	ON THE PART OF THE SENATE:
DAVID TABOR, Chair	THOMAS MANN, Chair
B. J. CLARK	ROBERT CARR
VIRGIL COREY	DONALD DOYLE
LEO MILLER	RAY TAYLOR
RALPH ROSENBERG	

The motion prevailed and the report was adopted.

Tabor of Jackson moved that the bill be read a last time 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. 496)

The ayes were, 96:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McKean	Menke	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Baxter	McIntee	Pavich	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:

Connors of Polk, until his return, on request of Rosenberg of Story.

Senate File 537, a bill for an act to provide a property tax levy for equipment replacement for area schools, with report of committee recommending passage was taken up for consideration.

Haverland of Polk in the chair at 5:15 p.m.

Chiodo of Polk offered the following amendment H—4201 filed by him from the floor:

H–4201

Amend Senate File 537, as passed by the Senate, as follows:

1. Page 1, by inserting after line 5 the following:

"Sec. . This Act is repealed effective July 1, 1988."

2. By numbering sections as necessary.

Stromer of Hancock offered the following amendment H–4210, to amendment H–4201, filed from the floor by Stromer, Halvorson of Clayton and Chiodo and moved its adoption:

H–4210

Amend amendment H–4201 to Senate File 537, as passed by the Senate, as follows:

1. Page 1, line 5 by striking the figure "1988" and inserting in lieu thereof the figure "1986".

Roll call was requested by Stromer of Hancock and Branstad of Winnebago.

On the question "Shall amendment H–4210 be adopted?"

The ayes were, 40:

Anderson	Bennett	Branstad	Carpenter
Carter	Chiodo	Connolly	Copenhaver
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hoffmann-Bright	Hummel	Knapp
Koenigs	Krewson	Lageschulte	Maulsby
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swartz
Swearingen	Torrence	Van Camp	Van Maanen

The nays were, 56:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Chapman
Clark	Cochran	Cooper	Daggett
Davitt	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Holveck	Hughes
Jay	Jochum	Lloyd-Jones	Lonergan
McIntee	McKean	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg

Oxley	Parker	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Tabor	Van Gerpen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Haverland)

Absent or not voting, 4:

Baxter	Connors	Pavich	Tofte

Amendment H—4210 lost.

Blanshan of Greene in the chair at 5:52 p.m.

Chiodo of Polk moved the adoption of amendment H—4201.

A non-record roll call was requested.

The ayes were 59, nays 32.

Amendment H—4201, as amended, was adopted.

Groninga 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. 537)

The ayes were, 67:

Anderson	Arnould	Black	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Chiodo	Clark	Cochran
Connolly	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. N.
Hammond	Holveck	Jay	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	McIntee	McKean	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Van Gerpen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Blanshan)	

The nays were, 26:

Bennett	Branstad	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hoffmann-Bright	Hummel	Lageschulte	Maulsby
Menke	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Swearingen	Torrence
Van Camp	Van Maanen		

Absent or not voting, 7:

Avenson	Baxter	Connors	Haverland
Hughes	Pavich	Tofte	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 537)

Norland of Worth asked and received unanimous consent to immediately message Senate File 537 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 92.

Senate File 92, a bill for an act to permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse and dog races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts, with reports of committees recommending amendment and passage and without recommendation and amendment was taken up for consideration.

Copenhaver of Buchanan offered amendment H–4196 filed by the committee on ways and means and requested division as follows:

H–4196

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

H–4196A

1. Page 1, by inserting before line 1 the following:

"Sec. . NEW SECTION. 99D.0 SHORT TITLE.

This chapter shall be known and may be cited as the "Iowa Pari-mutuel Wagering Act"."

2. Page 1, by inserting after line 7 the following:

" . "Holder of occupational license" means a person licensed by the commission to perform an occupation which the commission has identified as requiring a license to engage in within the racing industry in Iowa."

3. Page 2, by striking line 24 and inserting in lieu thereof the following:

"5. A member,".

4. Page 2, by striking lines 27 through 29 and imserting in lieu thereof the following: "venture, or contract with an owner or lessee of a racetrack, a licensee, or a holder of an occupational license.

b. Be employed in any capacity by a racetrack, licensee, or a holder of an occupational license."

5. Page 2, by inserting after line 32 the following:

" . Place a wager on an entry in a race."

6. Page 3, by striking lines 18 through 20 and inserting in lieu thereof the following:

"Sec. 6. NEW SECTION. 99D.6 POWERS AND AUTHORITY.

The commission shall have full jurisdiction over and shall supervise all race meetings governed by this chapter. The commission shall have the following powers and shall adopt rules pursuant to chapter 17A to implement this chapter:

1. To investigate applicants and determine the eligibility of applicants for a license and to select among competing applicants for a license the applicant which best serves the interests of the citizens of Iowa.

2. To identify occupations within the racing industry which require licensing and adopt standards for licensing the occupations including establishing fees for the occupational licenses.

3. To adopt standards under which all race meetings shall be held and standards for the facilities within which the race meetings shall be held.

4. To regulate the purse structure for race

meetings including establishing a minimum purse.
5. To cooperate with the department of agriculture to establish and operate, or contract for, a laboratory and related facilities to conduct saliva, urine, and

Page 2

other tests on animals that are to run or that have run in races governed by this chapter.
6. To establish fees for the testing of animals sufficient to cover the costs of the tests and to purchase the necessary equipment for the testing.
7. To enter the office, racetrack, facilities, or other places of business of a licensee to determine compliance with this chapter.
8. To investigate alleged violations of this chapter or the commission rules, orders, or final decisions and to take appropriate disciplinary action against a licensee or a holder of an occupational license for the violation, or institute appropriate legal action for enforcement, or both.
9. To authorize stewards, starters, and other racing officials to impose fines or other sanctions upon a person violating this chapter or the commission rules, orders, or final orders including a tout, bookmaker, or other person deemed to be undesirable from the race track facilities.
10. To require the removal of a racing official, an employee of a licensee, or a holder of an occupational license, or employee of a holder of an occupational license for a violation of this chapter or a commission rule or engaging in a fraudulent practice.
11. To prevent an animal from racing if the commission or commission employees with cause believe the animal or its owner, trainer, or an employee of the owner or trainer is in violation of this chapter or commission rules.
12. To withhold payment of a purse or pari-mutuel wager if the outcome of a race is disputed or until tests are performed on the animals to determine if they were illegally drugged.
13. To provide for immediate determination of the disposition of a challenge by a racing official or representative of the commission by establishing procedures for informal hearings before a panel of stewards at a racetrack.
14. To require a licensee to file an annual balance sheet and profit and loss statement pertaining to the licensee's racing activities in this state, together with a list of the stockholders or other

persons having any beneficial interest in the racing activities of each licensee.

15. To issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records and other pertinent documents in accordance with chapter 17A, and to administer oaths

Page 3

and affirmations to the witnesses, when, in the judgment of the racing commission, it is necessary to enforce this chapter or the commission rules.

16. To keep accurate and complete records of its proceedings and to certify the records as may be appropriate.

17. To require all licensees to use a computerized totalisator system for calculating odds and pay-outs from the pari-mutuel wagering pool and to establish standards to insure the security of the totalisator system.

18. To revoke or suspend licenses and impose fines not to exceed one thousand dollars.

19. To take any other action as may be reasonable or appropriate to enforce this chapter and the commission rules."

H—4196B

7. Page 4, line 13, by inserting after the word "licensee." the words "The commission shall not approve a license application if any part of the racetrack is to be constructed on prime farmland outside the city limits of an incorporated city."

H—4196A

8. Page 4, by striking lines 30 through 32 and inserting in lieu thereof the following:

"3. A license shall not be granted to a nonprofit corporation if there is substantial evidence that the applicant for a license:

a. Has been suspended or ruled off a recognized course in another jurisdiction by the racing board or commission of that jurisdiction.

b. Has not demonstrated financial responsibility sufficient to meet adequately the requirements of the enterprise proposed.

c. Is not the true owner of the enterprise proposed.

d. Is not the sole owner, and other persons have ownership in the enterprise which fact has not been

disclosed.

e. Is a corporation and ten percent of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license.

f. Has knowingly made a false statement of a material fact to the commission.

g. Has failed to meet any monetary obligation in connection with a race meeting held in this state.

4. A license shall not be granted to a nonprofit corporation if there is substantial evidence that

Page 4

stockholders or officers of the nonprofit corporation are not of good repute and moral character.

5. A license shall not be granted to a licensee for racing on more than one racetrack at the same time.

6. A licensee may not loan or give to any person money or any other thing of value for the purpose of permitting that person to wager on any race.

7. Upon a violation of any of the conditions listed in this section, the commission shall immediately revoke the license."

9. Page 5, line 24, by striking the word "fifteen" and inserting in lieu thereof the word "sixteen".

10. Page 6, by striking line 25 and inserting in lieu thereof the following: "the person who placed the wager within sixty days of the close of the racing meet during which".

H–4196C

11. Page 6, line 27, by striking the words "be retained" and inserting in lieu thereof the following: "escheat to the state as per chapter 556."

12. Page 6, by striking line 28.

H–4196A

13. Page 7, line 21, by striking the word "five" and inserting in lieu thereof the word "six".

14. Page 7, by striking lines 25 and 26 and inserting in lieu thereof the following: "of each race meeting and shall be distributed as follows:

1. If the racetrack is located in a city, five of the six percent shall be deposited in the general

fund of the state. One-half of one percent of the six percent shall be remitted to the treasurer of the city in which the racetrack is located and shall be deposited in the general fund of the city. The remaining one-half of one percent shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county.

2. If the racetrack is located in an unincorporated part of a county, five and one-half percent of the six percent shall be deposited in the general fund of the state. The remaining one-half of one percent shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county."

H–4196D

15. Page 8, line 11, by striking the number "1."

16. Page 8, line 12, by striking the words "divided into" and inserting in lieu thereof the words "deposited in the state general fund."

17. Page 8, by striking lines 13 through 23.

H–4196A

18. Page 11, by inserting after line 13 the following:

Page 5

" . A person commits a class "D" felony and, in addition, shall be barred for life from racetracks under the jursidiction of the commission, if the person does any of the following:

a. Offers, promises, or gives anything of value or benefit to a person who is connected with racing including, but not limited to, an officer or employee of a licensee, an owner of a horse, a jockey or driver, a trainer, or handler, pursuant to an agreement or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to whom the offer, promise, or gift was made in order to affect or attempt to affect the outcome of a race, or to influence official action of a member of the commission.

b. Solicits or knowingly accepts or receives a promise of anything of value or benefit while the person is connected with racing including, but not limited to, an officer or employee of a licensee, an owner of a horse, a jockey or driver, a trainer,

or handler, pursuant to an understanding or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to affect or attempt to affect the outcome of a race, or to influence official action of a member of the commission."

19. Page 12, by inserting after line 16 the following:

"Sec. . NEW SECTION. 99D.101 USE OF INDUSTRIAL REVENUE BONDS PROHIBITED. Industrial revenue bonds shall not be used to contruct, maintain, or repair a racetrack or racing facility in the state where pari-mutuel wagering is licensed."

H—4196E

20. Page 12, by inserting after line 16 the following:

"Sec. . NEW SECTION. 99D.22A START-UP ACCOUNT—CONTRIBUTIONS REFUNDS.

1. A fund shall be established in the office of the state treasurer to pay the initial start-up costs of the commission until sufficient receipts of admissions tax and license fees under section 99D.11 are available. The account shall be funded by voluntary contributions from any person wishing to make a donation. The operating expenses of the commission shall be paid from the account until there are sufficient funds pursuant to section 99D.11 to permit dissolution and repayment of the fund. The commission shall not be appointed nor shall this chapter be implemented, other than to establish the start-up account, until at least five hundred thousand

Page 6

dollars has been contributed to the account.

2. A nonprofit corporation qualified to apply for a license under section 99D.7 that makes a contribution to the account and is subsequently issued a license may claim the contribution, exclusive of interest on the contribution, as a credit against the admissions tax and license fees due under section 99D.11 until the amount of the contribution has been equaled. Whether a person has contributed to the account shall not be a factor in granting or denying a license.

3. A person who has made a contribution but has not been granted a license shall be repaid the contribution along with interest on the contribution. Interest shall be calculated at the same rate as the

treasurer of state receives on idle funds that the treasurer has invested. Repayment shall be made in four equal installments and shall be apportioned on a pro-rated basis to all contributors eligible for repayment. The commission shall determine when there are sufficient funds available from funds received pursuant to section 99D.11 to declare a repayment installment. No funds shall be declared surplus funds and distributed pursuant to section 99D.15 until all contributors eligible for repayment have been repaid in full including interest."

H—4196C

21. Page 13, by inserting after line 16 the following:

"Sec. . Chapter 556, is amended by adding the following new section:

NEW SECTION. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS. All unclaimed pari-mutuel wagering winnings not claimed by the person who placed the wager within sixty days of the close of the racing meet during which the wager was placed are presumed abandoned."

H—4196A

22. Page 14, by striking lines 1 through 4 and inserting in lieu thereof the following:

"a. For a first offense involving an amount of money:

(1) Not exceeding one hundred dollars is illegal gaming in the fourth degree. A fourth degree offense is a serious misdemeanor.

(2) Exceeding one hundred dollars but not exceeding five hundred dollars is illegal gaming in the third degree. A third degree offense is an aggravated misdemeanor.

(3) Exceeding five hundred dollars but not exceeding five thousand dollars is illegal gaming in the second degree. A second degree offense is a class "D" felony.

Page 7

(4) Exceeding five thousand dollars is illegal gaming in the first degree. A first degree offense is a class "C" felony.

b. For a second offense, the offense is one degree greater than what the offense would be if the offense had been a first offense.

c. For a third offense, the offense is two degrees

greater than what the offense would be if the offense had been a first offense.

d. For a fourth and any subsequent offense, the offense is three degrees greater than what the offense would be if the offense had been a first offense.

The maximum sentence imposed for a violation of this section shall be the same as that of a class "C" felony under section 902.9."

23. Renumber as necessary.

Woods of Polk offered the following amendment H—4222, to the committee amendment H—4196A, filed by him from the floor and moved its adoption:

H—4222

Amend amendment H—4196 to Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 32, by striking the words "or pari-mutuel".

2. Page 2, line 33, by striking the word "wager".

A non-record roll call was requested.

The ayes were 56, nays 24.

Amendment H—4222 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien, for a portion of the evening, on request of Avenson of Fayette.

Hoffmann-Bright of Muscatine offered the following amendment H—4221, to the committee amendment H—4196A, filed from the floor by Hoffmann-Bright, Holveck, Hammond, Haverland and McKean:

H—4221

Amend amendment H—4196 to Senate File 92, as amended, passed and reprinted by the Senate as follows:

1. Page 4, line 23, by striking the word "six" and inserting in lieu thereof the word "seven".

2. Page 4, by striking lines 27 through 43 and inserting in lieu thereof the following:

"1. If the racetrack is located in a city, six of the seven percent shall be deposited in the general fund of the state. One-half of one percent of the seven percent shall be remitted to the treasurer of the city in which the racetrack is located and shall be deposited in the general fund of the city. The remaining one-half of one percent shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county.

2. If the racetrack is located in an unincorporated part of a county, six and one-half percent of the seven percent shall be deposited in the general fund of the state. The remaining one-half of one percent shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county.

3. One percent of the tax deposited in the general fund of the state shall be used to provide services for compulsive gamblers."

Hoffmann-Bright of Muscatine asked for unanimous consent to amend amendment H–4221 by adding the words "of the seven" after the word "One" on line 24.

Objection was raised.

Hoffmann-Bright of Muscatine moved the adoption of amendment H–4221, to the committee amendment H–4196.

Roll call was requested by McKean of Jones and Stueland of Clinton.

Rule 76 was invoked.

On the question "Shall amendment H–4221 be adopted?"

The ayes were, 44:

Anderson	Arnould	Bennett	Black
Branstad	Carl	Carpenter	Chapman
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Lageschulte
Maulsby	McKean	Miller	Mullins
Ollie	Osterberg	Oxley	Renken
Rensink	Rosenberg	Royer	Schnekloth
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 50:

Avenson	Brammer	Buhr	Carter
Chiodo	Cochran	Connolly	Cooper
Copenhaver	Davitt	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Halvorson, R. N.	Hanson	Harbor	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	McIntee	Muhlbauer
Norland	O'Kane	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Running	Schroeder	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker (Blanshan)		

Absent or not voting, 6:

Baxter	Connors	Haverland	Menke
Pavich	Tofte		

Amendment H—4221 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Torrence of Muscatine, until her return, on request of Mullins of Kossuth.

Rosenberg of Story offered the following amendment H—4212, to amendment H—4196, filed by him and Jay of Appanoose from the floor and moved its adoption:

H—4212

Amend amendment H—4196 to Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 6, line 38 through page 7, line 3 and inserting in lieu thereof the following:

"a. For a first offense:

(1) Illegal gaming in the fourth degree if the amount involved does not exceed one hundred dollars. Illegal gaming in the fourth degree is a serious misdemeanor.

(2) Illegal gaming in the third degree if the amount involved exceeds one hundred dollars but does not exceed five hundred dollars. Illegal gaming in the third degree is an aggravated misdemeanor.

(3) Illegal gaming in the second degree if the amount involved exceeds five hundred dollars but does not exceed five thousand dollars. Illegal gaming in the second degree is a class "D" felony.

(4) Illegal gaming in the first degree if the amount involved exceeds five thousand dollars. Illegal gaming in the first degree is a class "C" felony."

Amendment H—4212 was adopted.

Further division of amendment H—4196A was requested as follows: Page 4, lines 24 through 43 amendment H—4196F; Page 5, lines 27 through 33 amendment H—4196G.

On motion by Copenhaver of Buchanan, the committee amendment H—4196A, as amended, was adopted.

De Groot of Lyon moved the adoption of the committee amendment H—4196B.

A non-record roll call was requested.

The ayes were 52, nays 33.

The committee amendment H—4196B was adopted.

Doderer of Johnson moved the adoption of the committee amendment H—4196C.

A non-record roll call was requested.

The ayes were 64, nays 18.

The committee amendment H—4196C was adopted.

Speaker Avenson in the chair at 7:33 p.m.

Doderer of Johnson moved the adoption of the committee amendment H—4196D.

A non-record roll call was requested.

The ayes were 46, nays 35.

The committee amendment H—4196D was adopted.

McIntee of Black Hawk in the chair at 7:55 p.m.

Menke of O'Brien in the chair at 8:04 p.m.

Schnekloth of Scott moved the adoption of the committee amendment H—4196E.

Roll call was requested by Hammond of Story and Stueland of Clinton.

Rule 76 was invoked.

On the question "Shall the committee amendment H—4196E be adopted?"

The ayes were, 45:

Anderson	Bennett	Blanshan	Brammer
Carl	Carpenter	Chapman	Clark
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Grandia	Gruhn
Hammond	Handorf	Hermann	Hoffmann-Bright
Holveck	Hughes	Jay	Lageschulte
Maulsby	McKean	Miller	Mullins
Ollie	Osterberg	Oxley	Renken
Rensink	Schnekloth	Stromer	Stueland
Swearingen	Tofte	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Zimmerman
Mr. Speaker (Menke)			

The nays were, 48:

Arnould	Avenson	Black	Buhr
Carter	Chiodo	Cochran	Connolly
Cooper	Copenhaver	Davitt	Fogarty
Groninga	Gronstal	Groth	Halvorson, R. A.
Halvorson, R. N.	Hanson	Harbor	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	McIntee	Muhlbauer	Norland
O'Kane	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Rosenberg
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Woods

Absent or not voting, 7:

Baxter	Branstad	Connors	Haverland
Hummel	Pavich	Torrence	

The committee amendment H—4196E lost.

On motion by Carpenter of Polk, the committee amendment H—4196F was adopted.

On motion by Copenhaver of Buchanan, the committee amendment H—4196G was adopted.

Woods of Polk offered amendment H—3230 filed by the committee on state government and requested division as follows:

H—3230

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

H—3230A

1. Page 1, line 13, by striking the words "dog racing and".
2. Page 1, line 23, by striking the words "or dog-race".
3. Page 1, line 25, by striking the words "or dog-race".
4. Page 1, line 31, by striking the words "or dog".
5. Page 1, line 33, by striking the words "or dog-race".

H—3230B

6. Page 2, line 18, by inserting after the word "duties" the words "to a maximum of six thousand dollars per year for the commission".

H—3230A

7. Page 2, line 31, by striking the words "or dog".

H—3230C

8. Page 3, line 4, by striking the word "The" and inserting in lieu thereof the words and figure "In accordance with chapter 19A, the".
9. Page 3, line 13, by striking the word "subject".
10. Page 3, line 14, by striking the words "to the approval of the governor." and inserting in lieu thereof the words and figure "in accordance with chapter 19A."

H—3230D

11. Page 3, line 18, by striking the word "may" and inserting in lieu thereof the word "shall".

H—3230A

12. Page 3, line 21, by striking the words "OR DOG".

13. Page 3, line 26, by striking the words "livestock, horse, or dog" and inserting in lieu thereof the words "livestock or horse".

14. Page 3, line 28, by striking the words "or dog".

15. Page 3, line 30, by striking the words "or dog-race".

16. Page 4, by striking line 7 and inserting in lieu thereof the words "permit horse racing of various types."

17. Page 4, line 8, by striking the words "and horse racing."

18. Page 5, line 14, by striking the words "or dog".

19. Page 5, line 17, by striking the words "or dogs".

20. Page 5, line 22, by striking the word "or".

21. Page 5, line 23, by striking the word "dog".

22. Page 5, line 25, by striking the words "or dogs".

23. Page 5, line 28, by striking the words "or

Page 2

dog".

24. Page 5, line 30, by striking the words "or dogs".

25. Page 5, line 32, by striking the words "or dogs".

26. Page 6, line 1, by striking the words "or dogs".

27. Page 6, by striking line 9.

28. Page 6, line 10, by striking the words and figure:

"1. In horse races the breakage".

29. Page 6, by striking lines 13 through 22.

30. Page 7, line 15, by striking the words "or dog-race".

31. Page 8, line 24, by striking the words "OR DOG".

32. Page 9, line 24, by striking the words "OR DOGS".

33. Page 9, line 26, by striking the words "or dogs whelped".

34. Page 9, line 28, by striking the words "or dogs".

35. Page 9, line 29, by striking the word "or".

36. Page 9, by striking lines 30 and 31 and inserting in lieu thereof the words "in the race limited to Iowa foaled horses shall be used to promote the horse breeding".

37. Page 9, line 32, by striking the word "industries" and inserting in lieu thereof the word "industry".

38. Page 10, line 1, by striking the words "and dog".

39. Page 10, line 2, by striking the word "horse" and inserting in lieu thereof the word "horse."

40. Page 10, by striking line 3.

41. Page 10, line 22, by striking the word "or".

42. Page 10, line 23, by striking the word "dogs".

43. Page 11, line 14, by striking the words "OR DOGS".

44. Page 11, line 17, by striking the words "or dog".

45. Page 11, line 18, by striking the words "or dog".

46. Page 11, by striking line 23 and inserting in lieu thereof the following: "to run in a race. The owners of a horse and".

47. Page 11, line 27, by striking the words "or dog".

48. Page 11, line 28, by striking the words "or dog".

Page 3

H—3230E

49. Page 12, by inserting after line 16 the following:

"Sec. . TWO YEAR WAITING PERIOD. The commission may begin to organize itself and conduct business after the effective date of this Act. However, the commission shall not issue any licenses pursuant to section 99D.8 until at least two years following the effective date of this Act."

H—3230A

50. Page 14, line 9, by striking the words "or dog".

51. Title page, line 4, by striking the words "and dog".
52. Renumber as necessary.

On motion by Woods of Polk, the committee amendment H–3230A lost.

Haverland of Polk moved to reconsider the vote by which the committee amendment H–3230A lost.

Roll call was requested by Schroeder of Pottawattamie and McKean of Jones.

On the question "Shall the committee amendment H–3230A be reconsidered?"

The ayes were, 39:

Arnould	Bennett	Black	Carl
Carter	Clark	Cochran	Daggett
De Groot	Diemer	Doderer	Fey
Grandia	Gruhn	Hammond	Handorf
Hanson	Haverland	Hoffmann-Bright	Holveck
Hughes	Maulsby	McKean	Miller
Mullins	O'Kane	Osterberg	Oxley
Paulin	Renken	Rensink	Stromer
Sturgeon	Swearingen	Tofte	Van Camp
Van Maanen	Welden	Mr. Speaker (Menke)	

The nays were, 56:

Anderson	Avenson	Blanshan	Brammer
Branstad	Buhr	Carpenter	Chiodo
Connolly	Cooper	Copenhaver	Corey
Davitt	Fogarty	Groninga	Gronstal
Groth	Halvorson, R. A.	Halvorson, R. N.	Harbor
Hermann	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	Muhlbauer
Norland	Ollie	Parker	Peick
Pellett	Poncy	Renaud	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stueland	Sullivan	Swartz	Tabor
Van Gerpen	Varn	Woods	Zimmerman

Absent or not voting, 5:

Baxter Chapman Connors Pavich Torrence

The motion lost.

On motion by Woods of Polk, the committee amendment H—3230B was adopted.

Woods of Polk offered the following amendment H—4211, to the committee amendment H—3230C, filed by him from the floor and moved its adoption:

H—4211

Amend amendment H—3230 to Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 18 through 25, and inserting in lieu thereof the following:

" . Page 3, by striking lines 12 and 13 and inserting in lieu thereof the following: "Subject to the approval of the governor, the commission shall fix the compensation of its secretary within salary range five as set by the general assembly. The commission shall also fix the compensation of its other employees, subject"."

2. Renumber as necessary.

Amendment H—4211 was adopted.

On motion by Woods of Polk the committee amendment H—3230C, as amended, was adopted.

The Speaker announced that the committee amendment H—3230D was out of order with the adoption of amendment H—4196A.

Woods of Polk moved the adoption of the committee amendment H—3230E.

Roll call was requested by Van Maanen of Mahaska and Parker of Jasper.

On the question "Shall the committee amendment H—3230E be adopted?"

The ayes were, 45:

Anderson	Bennett	Chapman	Clark
Cochran	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Grandia
Gruhn	Hammond	Handorf	Hanson
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Lageschulte
Maulsby	McKean	Miller	Mullins
Ollie	Osterberg	Oxley	Pellett
Renken	Rensink	Rosenberg	Schnekloth
Stromer	Stueland	Swearingen	Tofte
Van Camp	Van Gerpen	Van Maanen	Welden
Mr. Speaker (Menke)			

The nays were, 50:

Arnould	Avenson	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carter	Chiodo	Connolly	Cooper
Copenhaver	Davitt	Fogarty	Groninga
Gronstal	Groth	Halvorson, R. A.	Halvorson, R. N.
Harbor	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McIntee
Muhlbauer	Norland	O'Kane	Parker
Paulin	Peick	Poncy	Renaud
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman		

Absent or not voting, 5:

Baxter	Carpenter	Connors	Pavich
Torrence			

The committee amendment H—3230E lost.

Hughes of Union asked and received unanimous consent to withdraw amendment H—3161 filed by him on February 25, 1983.

Copenhaver of Buchanan asked and received unanimous consent to withdraw amendment H—4142 filed by him and Woods of Polk on May 10, 1983, placing out of order the following amendments to amendment H—4142:

H—4151 filed by Rosenberg of Story on May 10, 1983.
H—4163 filed by Rosenberg of Story on May 11, 1983.

The Speaker announced that amendment H—3167 filed by Miller of Woodbury on February 25, 1983 was out of order.

Clark of Cerro Gordo asked and received unanimous consent to withdraw amendment H—4150 filed by her on May 10, 1983.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H—4167 filed by him on May 11, 1983.

Holveck of Polk offered the following amendment H—4206 filed from the floor by him and Van Maanen of Mahaska and moved its adoption:

H—4206

Amend Senate File 92, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 25, by inserting after the word "commission" the following: ", or a family member related within the second degree of affinity or consanguinity to a member, employee, or appointee of the commission".

Amendment H—4206 was adopted.

Rosenberg of Story offered the following amendment H—4164 filed by him and moved its adoption:

H—4164

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, by inserting after line 32 the following:

"d. Place a wager on an entry in a race."

Amendment H—4164 was adopted.

Hughes of Union offered the following amendment H—3266 filed by him:

H—3266

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, line 10, by inserting after the word

"chapter." the following: "However, before a licensee may begin construction or begin any operation, a referendum shall be held in the county where the racetrack is to be located. The referendum shall be held at the next general election. The license shall be rescinded if less than sixty percent of those voting in the referendum vote in favor of locating the racetrack in the county."

Schroeder of Pottawattamie rose on a point of order that amendment H—3266 was not germane.

The Speaker ruled the point not well taken and amendment H—3266 germane.

Hughes of Union moved the adoption of amendment H—3266.

Roll call was requested by Hermann of Scott and Grandia of Marion.

Rule 76 was invoked.

On the question "Shall amendment H—3266 be adopted?"

The ayes were, 42:

Bennett	Branstad	Carl	Chapman
Clark	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Grandia
Gruhn	Hammond	Handorf	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Lageschulte	Maulsby
McKean	Miller	Mullins	Ollie
Osterberg	Oxley	Pellett	Renken
Rensink	Rosenberg	Schnekloth	Stromer
Stueland	Swearingen	Van Gerpen	Van Maanen
Welden	Mr. Speaker (Menke)		

The nays were, 53:

Anderson	Arnould	Avenson	Black
Blanshan	Brammer	Buhr	Carpenter
Carter	Chiodo	Cochran	Connolly
Connors	Cooper	Copenhaver	Davitt
Fogarty	Groninga	Gronstal	Groth
Halvorson, R. N.	Hanson	Harbor	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones

Lonergan	McIntee	Muhlbauer	Norland
O'Kane	Parker	Paulin	Peick
Poncy	Renaud	Royer	Running
Schroeder	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Van Camp	Varn	Woods
Zimmerman			

Absent or not voting, 5:

Baxter	Halvorson, R. A.	Pavich	Tofte
Torrence			

Amendment H—3266 lost.

Black of Jasper offered the following amendment H—4215 filed by him from the floor and moved its adoption:

H—4215

Amend Senate File 92 as amended, passed, and reprinted by the Senate as follows:

1. Page 4, line 10, by inserting after the word "chapter." the following: "The commission shall not issue a license for dog racing until one year after a license restricted to thoroughbred racing has been issued."

Amendment H—4215 lost.

Clark of Cerro Gordo offered the following amendment H—4149 filed by her and moved its adoption:

H—4149

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

1. Page 4, by inserting after line 32 the following:

"x. As a further condition for issuance of a license, under this chapter an applicant for a license must give written consent to members of the fire, police and health departments and to building inspectors of cities; the county sheriff, deputy sheriff, and state agents, and any official county health officer to enter the premises specified in the license without a warrant to inspect for violations of this chapter or ordinances and regulations that cities and boards of supervisors may adopt."

2. By correcting internal references as necessary.

A non-record roll call was requested.

The ayes were 40, nays 45.

Amendment H—4149 lost.

Woods of Polk offered the following amendment H—4080 filed by him and moved its adoption:

H—4080

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 5, line 6, by inserting after the word "commission." the following: "The bond shall not be cancelled by a surety on less than thirty days notice in writing to the commission. If a bond is cancelled and the licensee fails to file a new bond with the commission in the required amount on or before the effective date of cancellation, the licensee's license shall be revoked. The total and aggregate liability of the surety on the bond is limited to the amount specified in the bond."

Amendment H—4080 was adopted.

Zimmerman of Dallas offered the following amendment H—4195 filed by her and moved its adoption:

H—4195

Amend Senate File 92 as follows:

1. Page 8, by striking lines 11 and 12, and inserting in lieu thereof the following:

"1. From the balance of the funds coming into the hands of the commission pursuant to section 99D.11, $50,000 shall be used by the Iowa state university college of veterinary medicine to develop further research on the treatment of equine injuries and diseases. The remaining funds shall be divided into".

Amendment H—4195 was adopted, placing out of order lines 44 through 47 of the committee amendment H—4196D, previously adopted.

Speaker Avenson in the chair at 9:35 p.m.

Clark of Cerro Gordo offered the following amendment H—4148 filed by her and moved its adoption:

H—4148

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 10, by inserting after line 25, the following:

" . The veterinarian shall conduct a pre-race examination of all horses or dogs entered in a race. This examination shall include, but is not limited to, removing the horse or dog from the stall or kennel and having an attendant trot the horse or dog on a level, hard surface both away from and towards the veterinarian and in a circular path in both directions. A horse or dog, which in the opinion of the veterinarian, is suffering from an illness or displays movements indicating that the horse or dog is sore or lame shall not be permitted to race until the veterinarian has reexamined the horse or dog and certifies it as fit to race. A horse or dog that has not passed a pre-race examination shall not be permitted to race.

. The veterinarian shall also have the responsibility for overseeing the general health and welfare of the horses and dogs on the racetrack grounds. The veterinarian shall promptly report to the commission an owner, trainer, groom, jockey, or other attendant, or a licensee who fails to adequately care for a horse or dog in the person's charge or who has treated a horse or dog cruelly. The commission shall promulgate rules for the proper treatment and care of horses and dogs on racetracks to insure their humane treatment. These rules shall include procedures for suspending from racing any person found in violation of the rules regarding the proper treatment of horses and dogs."

2. Renumber as necessary.

Amendment H—4148 lost.

Fey of Scott offered the following amendment H—4220 filed from the floor by Fey, Doderer and Clark and moved its adoption:

H—4220

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 11, line 14, by inserting after the word "DRUGGING" the words "OR NUMBING".

2. Page 11, by striking lines 15 through 23 and inserting in lieu thereof the following: "FORBIDDEN — PENALTY.

1. As used in this section, unless the context otherwise requires:

a. "Drugging" means administering to a horse or dog any substance, foreign to the natural horse or dog prior to the start of a race.

b. "Numbing" means the applying of ice, dry ice, a cold pack, or a chemical or mechanical freezing device to the limbs of a horse or dog within ten hours before the start of a race, or a surgical or other procedure which was, at any time, performed in which the nerves of a horse or dog were severed, destroyed, or removed.

c. "Entered" means that a horse or dog has been registered as a participant in a specified race, and not withdrawn prior to presentation of the horse or dog for inspection and testing.

2. The general assembly finds that the practice of drugging or numbing a horse or dog prior to a race:

a. Corrupts the integrity of the sport of racing and promotes criminal fraud in the sport;

b. Misleads the wagering public and those desiring to purchase a horse or dog as to the condition and ability of the horse or dog;

c. Poses an unreasonable risk of serious injury or death to the rider of a horse and to the riders of other horses competing in the same race; and

d. Is cruel and inhumane to the horse or dog so drugged or numbed.

3. The following conduct is prohibited:

a. The entering of a horse or dog in a race by the trainer or owner of the horse or dog if the trainer or owner knows or if by the exercise of reasonable care the trainer or owner should know that the horse or dog is drugged or numbed;

b. The drugging or numbing of a horse or dog with knowledge or with reason to believe that the horse or dog will compete in a race while so drugged or numbed. However, the commission may by rule establish permissible trace levels of substances foreign to the natural horse or dog that the commission determines to be innocuous;

c. The willful failure by the operator of a racing facility to disqualify a horse or dog from competing

Page 2

in a race if the operator has been notified that the horse or dog is drugged or numbed, or was not properly made available for tests or inspections as required by the commission; and

d. The willful failure by the operator of a racing facility to prohibit a horse or dog from racing if the operator has been notified that the horse or dog has been suspended from racing.

4. The owners of a horse or dog and".

2. Page 11, by striking line 32 and inserting in lieu thereof the words "the tests."

3. Renumber as necessary.

Amendment H—4220 was adopted.

Clark of Cerro Gordo asked and received unanimous consent to withdraw amendments H—4147 and H—4162 filed by her on May 10 and May 11, 1983 respectively.

The Speaker announced that amendment H—3762 filed by Schnekloth of Scott on April 14, 1983 was subject matter previously considered in the committee amendment H—4196E and therefore, out of order.

Clark of Cerro Gordo offered the following amendment H—4146 filed by her and moved its adoption:

H—4146

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

1. Page 12, by inserting after line 34 the following:

"Sec. . Chapter 80, Code 1983, is amended by adding the following new section after section 80.25 and renumbering the remaining sections:

NEW SECTION. 80.25A PARI-MUTUEL ENFORCEMENT. The commissioner of public safety shall direct the chief of the division of a criminal investigation and bureau of identification to establish a subdivision for the purpose of enforcement of chapter 99D. The commissioner of public safety shall appoint or assign other agents to the division as necessary to enforce chapter 99D. All enforcement officers, assistants, and agents of the division are subject to section 80.15 except clerical workers."

2. Renumber as necessary.

Amendment H—4146 was adopted.

Rosenberg of Story offered the following amendment H—4165 filed by him and moved its adoption:

H—4165

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

1. Page 14, line 6, by striking the word "section" and inserting in lieu thereof the word "sections".

2. Page 14, by inserting after line 6 the following:

"NEW SECTION. "BOOKMAKING" DEFINED. "Bookmaking" means advancing gambling activity by accepting bets upon the outcome of future contingent events as a business other than as permitted in chapters 99B and 99D. These events include, but are not limited to, the results of a trial or contest of skill, speed, power, or endurance of a person or beast or between persons, beasts, fowl, motor vehicles, or mechanical apparatus or upon the result of any chance, casualty, unknown, or contingent event."

Amendment H—4165 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek, for the remainder of the day, on request of Stromer of Hancock.

Varn of Johnson offered the following amendment H—4226 filed from the floor by him and Woods of Polk and moved its adoption:

H—4226

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

1. Page 12, by inserting after line 16 the following:

"Sec. . NEW SECTION. 99D.100 START-UP ASSISTANCE FUND. A fund shall be established in the office of the state treasurer to assist in the establishment of the commission. The account shall be funded by voluntary contributions from any person wishing to make a donation. The fund shall be used to expedite the establishment and operation of the commission. The commission shall not consider the granting of any licenses until at least fifty thousand

dollars has been contributed to the fund. Whether a person has contributed to the account shall not be a factor in granting or denying a license. Contributions to the fund are refundable without interest upon application of the contributor."

2. Renumber as necessary.

Amendment H—4226 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (S.F. 92)

The ayes were, 53:

Arnould	Blanshan	Brammer	Branstad
Buhr	Carter	Chiodo	Cochran
Connolly	Connors	Cooper	Copenhaver
Davitt	Fogarty	Groninga	Gronstal
Groth	Halvorson, R. N.	Hanson	Harbor
Hughes	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	McIntee
Muhlbauer	Norland	O'Kane	Ollie
Parker	Paulin	Peick	Poncy
Renaud	Rosenberg	Royer	Running
Schroeder	Sherzan	Shoultz	Skow
Sturgeon	Sullivan	Swartz	Tabor
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 44:

Anderson	Bennett	Black	Carl
Carpenter	Chapman	Clark	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Grandia	Gruhn	Halvorson, R. A.
Hammond	Handorf	Haverland	Hermann
Hoffmann-Bright	Holveck	Hummel	Lageschulte
Lonergan	Maulsby	McKean	Menke
Miller	Mullins	Osterberg	Oxley
Pellett	Renken	Rensink	Schnekloth

Spear	Stromer	Stueland	Swearingen
Torrence	Van Gerpen	Van Maanen	Welden

Absent or not voting, 3:

Baxter	Pavich	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:

Clark of Cerro Gordo, for the remainder of the day, on request of Connors of Polk.

IMMEDIATE MESSAGE
(Senate File 92)

Norland of Worth asked and received unanimous consent to immediately message Senate File 92 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 544.

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 11, 1983, insisted on its amendment to House File 359, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities, and the members of the conference committee on the part of the Senate, appointed on May 12, 1983, are: The Senator from Black Hawk, Senator Gallagher, Chair; the Senator from Adams, Senator Briles; the Senator from Scott, Senator Holden; the Senator from Kossuth, Senator Priebe; and the Senator from Linn, Senator Wells.

Also: That the Senate has on May 12, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 613, a bill for an act relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984.

Also: That the Senate has on May 12, 1983, 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 533, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Also: That the Senate has on May 12, 1983, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 543, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and which terminates the two percent discount rate for the sale of cigarette stamps.

Also: That the Senate has on May 12, 1983, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects.

K. MARIE THAYER, Secretary

CONFERENCE COMMITTEE APPOINTED
(House File 359)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 359: O'Kane of Woodbury, Chair; Buhr of Polk, Connors of Polk, Menke of O'Brien and Swearingen of Keokuk.

HOUSE INSISTS

Blanshan of Greene called up for consideration **Senate File 551,** a bill for an act relating to and making appropriations to state agencies for capital projects, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED
(Senate File 551)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 551: Jochum of Dubuque, Chair; Arnould of Scott, Blanshan of Greene, Hoffmann-Bright of Muscatine and Welden of Hardin.

SENATE AMENDMENT CONSIDERED

Poncy of Wapello called up for consideration **Senate File 533,** a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4225 to the House amendment:

H—4225

Amend amendment S—3919 to Senate File 533 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, line 6, by striking the words and figure "2 of this Act" and inserting in lieu thereof the word and figures "261.25, subsection 1".

2. Page 1, line 32, by striking the figure "56,405,501" and inserting in lieu thereof the figure "56,455,501".

3. By striking page 1, line 49, through page 2, line 34, and inserting in lieu thereof the following:

"_____. Page 8, line 28, by striking the figure "106,649,328" and inserting in lieu thereof the figure "106,624,411".

_____. Page 10, line 35, by striking the figure "87,436,286" and inserting in lieu thereof the figure "87,414,854".

_____. Page 11, line 16, by striking the figure "34,366,425" and inserting in lieu thereof the figure "34,361,273".

_____. Page 11, line 21, by striking the figure "4,216,568" and inserting in lieu thereof the figure "4,212,979".

_____. Page 11, line 26, by striking the figure "2,293,661" and inserting in lieu thereof the figure "2,291,411"."

4. Page 2, by striking lines 40 through 43.

5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4225 to the House amendment.

Poncy of Wapello 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. 533)

The ayes were, 88:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Van Camp	Van Gerpen
Van Maanen	Varn	Woods	Mr. Speaker

The nays were, 3:

Renken	Stueland	Zimmerman

Absent or not voting, 9:

Baxter	Branstad	Clark	Doderer
Handorf	Pavich	Tofte	Torrence
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES WITHDRAWN

Connolly of Dubuque asked and received unanimous consent to withdraw the following bills from further consideration by the House: House Files 152, 153, 154, 155, 160, 161 and 632.

HOUSE RESOLUTION 14
By Fey

Whereas, the needs of Vietnam-era veterans were recognized on January 12, 1980 when the first Iowa-

based veterans center was opened in Des Moines, Iowa; and

Whereas, the veterans centers were established to recognize the sacrifices made by these American veterans and to help those veterans having psychological and readjustment problems, in order to assist them in their efforts to become productive members of society; and

Whereas, the veterans centers are staffed by Vietnam-era veterans who are qualified in all areas to serve the needs of fellow Vietnam-era veterans; and

Whereas, over ten thousand Vietnam-era veterans and their family members have utilized the facilities of the veterans centers in Des Moines and Sioux City; and

Whereas, a crucial need exists for the continuation of the veterans centers beyond the scheduled funding expiration date of September 30, 1984; *Now Therefore*,

Be It Resolved by the House of Representatives, That the Iowa House of Representatives urges the Congress of the United States to continue the federal funding of veterans centers; and

Be It Further Resolved, That copies of this resolution be sent to members of the Iowa Congressional Delegation, the President of the United States, the President of the United States Senate, and the Speaker of the United States House of Representatives.

Laid over under Rule 25.

COMMUNICATION FROM SECRETARY OF STATE

May 9, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

Pursuant to the authority vested in the undersigned, Secretary of State of the State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1983, there being no newspaper by the name of The Council Bluffs Nonpareil, published in Council Bluffs, Iowa, I hereby designate The Daily Nonpareil, published in Council Bluffs, Iowa to publish the foregoing Act, Senate File 434.

I hereby certify that Senate File 434 was published in The Daily Nonpareil, Council Bluffs, Iowa on May 2, 1983 and in The Cascade Pioneer-Advertiser, Cascade, Iowa on May 5, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

Hanson of Delaware presented to the House the Honorable Maurice Hennessey, former member of the House representing Delaware County.

The Speaker announced that the following visitors were present in the House chamber:

Seventy-five students from Carlisle High School, Carlisle, accompanied by Bill Fink. By Parker of Jasper.

Thirty-six sixth grade students from Lucas Elementary School, Des Moines, accompanied by Bonnie Tucknott. By Connors of Polk.

Sixty sixth grade students from Washington Elementary School, Atlantic, accompanied by Chris Wernimont, Mary Paash and Gail Casey. By Pellett of Cass.

Fifty eighth grade students from Sigourney Middle School, Sigourney, accompanied by Mr. Jack Kitzman and Miss Barb Jacobs. By Swearingen of Keokuk.

Sixty-eight fifth grade students from Taft Elementary School, Humboldt, accompanied by Larry Dorhout. By Mullins of Kossuth.

Forty-five sixth grade students from Mingo Elementary School, Mingo, accompanied by Leslie Githens. By Parker of Jasper.

Seven students from Christian Day School, Newton, accompanied by Dan Elenbaas. By Black of Jasper.

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.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 553, a bill for an act specifying who may solemnize a marriage.

Fiscal Note is not required.

Recommended **Do Pass** May 12, 1983.

COMMITTEE ON STATE GOVERNMENT

Senate File 552, a bill for an act relating to the date of precinct caucuses of the political parties.

Fiscal Note is not required.

Recommended **Do Pass** May 11, 1983.

AMENDMENTS FILED

H–4197	H.F.	658	Doderer of Johnson
H–4218	H.F.	652	McIntee of Black Hawk Schroeder of Pottawattamie Chiodo of Polk Halvorson of Clayton Miller of Woodbury
H–4223	H.F.	637	Senate Amendment
H–4224	H.F.	613	Senate Amendment

On motion by Norland of Worth, the House adjourned at 11:35 p.m., until 9:00 a.m., Friday, May 13, 1983.

JOURNAL OF THE HOUSE

One Hundred Twenty-fourth Calendar Day — Eighty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, May 13, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable John Connors, state representative from Polk County.

The Journal of Thursday, May 12, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pavich of Pottawattamie on request of Speaker Avenson; Baxter of Des Moines on request of Varn of Johnson; Torrence of Muscatine on request of Bennett of Ida.

PETITION FILED

The following petition was received and placed on file:

By Halvorson of Clayton, from fifty-seven constituents from Elkader, opposing House File 564, relating to a tax increase on beer and liquor.

INTRODUCTION OF BILL

House File 659, by committee on finance, a bill for an act to provide for the transfer of funds received from the use tax on motor vehicles and trailers to the special railroad facility fund to assist in the acquisition of railroad right-of-way and providing for the repayment of these funds from receipts credited to the special railroad facility fund.

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 May 11, 1983, 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 123, a bill for an act relating to crimes involving the unjustified interference with the body or duty of persons including fire fighters, persons providing emergency medical services, and penal and correctional facility staff, and providing penalties.

Also: That the Senate has on May 11, 1983, 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 514, a bill for an act amending the Iowa uniform securities Act, and providing a civil penalty.

Also: That the Senate has on May 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 630, a bill for an act relating to the refund of prorate registration fees.

Also: That the Senate has on May 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 631, a bill for an act relating to property tax exemptions in an urban revitalization area.

Also: That the Senate has on May 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 640, a bill for an act providing for the filing of a claim for a property tax exemption by certain nonprofit organizations only once without refiling a claim in subsequent years so long as the ownership of the property or use of the property remains unchanged, subject to a penalty provided by law.

Also: That the Senate has on May 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 643, a bill for an act relating to the payment of principal and interest on public bonds by providing for a mandatory levy of taxes and the determination of certain interest rates.

Also: That the Senate has on May 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 645, a bill for an act making an appropriation to the Iowa merit employment department to conduct a study of merit compensation rates based on comparable worth.

Also: That the Senate has on May 11, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 646, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Also: That the Senate has on May 11, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 448, a bill for an act relating to the issuance, termination, and requirements for teachers' contracts.

Also: That the Senate has on May 11, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 540, a bill for an act relating to state payments by providing for payments in each fiscal year of homestead tax credits and by providing for monthly payments of funds to school districts under chapter 442.

Also: That the Senate has on May 11, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 546, a bill for an act relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the federal fiscal year beginning October 1, 1982 and ending September 30, 1983.

Also: That the members of the conference committee to Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects, on the part of the Senate, appointed May 13, 1983, are: The Senator from Johnson, Senator Small, Chair; the Senator from Dubuque, Senator Carr, the Senator from Clay, Senator Holt, the Senator from Linn, Senator Horn, and the Senator from Boone, Senator Nystrom.

Also: That the Senate has on May 13, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 555, a bill for an act appropriating federal oil overcharge funds apportioned to Iowa and interest and earnings on investments from federal oil overcharge funds.

K. MARIE THAYER, Secretary

The House stood at ease at 9:53 a.m., until the fall of the gavel.

The House resumed session at 11:22 a.m., Speaker Avenson in the chair.

SENATE MESSAGE CONSIDERED

Senate File 555, by committee on appropriations, a bill for an act appropriating federal oil overcharge funds apportioned to Iowa and interest and earnings on investments from federal oil overcharge funds.

Read first time and referred to committee on **appropriations.**

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 553.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 553, a bill for an act specifying who may solemnize a marriage, was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 553)

The ayes were, 91:

Anderson	Arnould	Bennett	Black
Blanshan	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Menke	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder

Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, 2:

Grandia	Paulin

Absent or not voting, 7:

Baxter	Brammer	Miller	Muhlbauer
Pavich	Torrence	Woods	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

Senate File 544, a bill for an act relating to fees charged to grain dealers and grain warehouse operators by the commerce commission under chapters 542 and 543, with report of committee recommending passage was taken up for consideration.

Jay of Appanoose offered the following amendment H–4183 filed by Jay, et al. :

H–4183

Amend Senate File 544 as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 542.3, subsection 2, paragraph b, Code 1983, as amended by 1983 Iowa Acts, Senate File 402, section 1, is amended to read as follows:

b. A class 2 license is required for any grain dealer not holding a class 1 license. A class 2 licensee whose purchases from producers during a fiscal year exceed a limit of ~~two hundred fifty~~ five hundred thousand dollars in value shall file within thirty days of the date the limit is reached a complete application for a class 1 license. If a class 1 license is denied, the person immediately shall cease doing business as a grain dealer."

2. By renumbering sections as required by this amendment.

Koenigs of Mitchell rose on a point of order that amendment H—4183 was not germane.

The Speaker ruled the point well taken and amendment H—4183 not germane.

Jay of Appanoose moved that the rules be suspended to consider amendment H—4183.

A non-record roll call was requested.

The ayes were 57, nays 17.

The motion prevailed and the rules were suspended.

Cooper of Lucas in the chair at 11:48 a.m.

Jay of Appanoose moved the adoption of amendment H—4183.

A non-record roll call was requested.

The ayes were 54, nays 34.

Amendment H—4183 was adopted.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 544)

The ayes were, 90:

Anderson	Arnould	Avenson	Bennett
Black	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Chiodo
Clark	Cochran	Connolly	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp

Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Tofte	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker (Cooper)		

The nays were, 2:

O'Kane	Van Camp

Absent or not voting, 8:

Baxter	Blanshan	Brammer	Connors
Pavich	Torrence	Van Gerpen	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Avenson in the chair at 12:29 p.m.

IMMEDIATE MESSAGES
(Senate Files 533, 544 and 553)

Norland of Worth asked and received unanimous consent to immediately message Senate Files 533, 544 and 553 to the Senate.

ADOPTION OF SENATE CONCURRENT RESOLUTION 26

Sturgeon of Woodbury called up for consideration Senate Concurrent Resolution 26, urging Iowa members of Congress to support H.R. 1646, the Railroad Retirement Solvency Act of 1983, received from the Senate on May 9, 1983 and found on page 1926 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 13, 1983, passed the following bill in which the concurrence of the House is asked:

Senate File 556, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

K. MARIE THAYER, Secretary

HOUSE CONCURRENT RESOLUTION 35

By Cochran, Blanshan, Gruhn, Koenigs, Anderson, Halvorson of Webster, McKean, Bennett, Davitt, Hughes, Carter, Pellett, Copenhaver, Lloyd-Jones, Muhlbauer, Tofte, Torrence, Van Maanen, Zimmerman, Stueland, Skow, Handorf, Sullivan, Osterberg, Carl, Mullins, Chapman, Knapp, Black, Krewson, Varn, Groth, Running and Parker

Whereas, in 1982 the general assembly enacted chapter 93A of the Code on land preservation and use; and

Whereas, that chapter requires each county to establish a county land preservation and use commission by October 1, 1982; compile a county land use inventory by January 1, 1984; and propose a county land use plan by September 1, 1984; and

Whereas, inconsistencies in the law have resulted in costly and counterproductive duplication in land use planning efforts; and

Whereas, still another land use inventory in all ninety-nine counties would be a flagrant waste of taxpayers' money; and

Whereas, entire community development patterns and county zoned areas are at stake as they relate to designated agriculture areas; and

Whereas, of eighty-two counties responding to a survey on this matter, forty called for a moratorium on the law and another twenty-one asked for its repeal; and

Whereas, the first regular session of the seventieth general assembly adjourned without addressing these questions through a statute; *Now Threrefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is requested to authorize a study during the 1983 legislative interim of the problems associated with the implementation of chapter 93A; and

Be It Further Resolved, That nonlegislative members should be appointed to the committee conducting the study to represent county government and other groups affected by chapter 93A.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 36
By Groth and Ollie

Whereas, a number of national studies have recently been published that have analyzed the quality of public education in the United States; and

Whereas, the results of these studies need to be reviewed and evaluated by persons interested in education in this state; *Now Therefore*,

Be It Resolved by the House Of Representatives, the Senate Concurring, That there is created an education study commission to be composed of the chairpersons and ranking members of the senate and house committees on education, one additional member from the senate committee on education and one additional member from the house committee on education. In addition, the lieutenant governor and the speaker of the house in consultation with the two chairpersons shall appoint additional members including a representative from the private colleges and universities, a representative from an institution of higher education under the state board of regents, a representative from a merged area school, an elementary school teacher, a secondary school teacher, a school administrator, a school board member, two parents of school age children and a representative from the department of public instruction. The commission shall analyze the recent annual studies in terms of the applicability of their conclusions and recommendations to the quality of public instruction in Iowa;

Be It Further Resolved, That expenses of the study committee including per diem and actual and necessary

Page 2

expenses and legislative members and actual and necessary expenses of the remaining members, shall be paid from funds available under section 2.12;

Be It Further Resolved, That the study committee shall meet not more than six times and complete a written report of its conclusions by October 1, 1983 and transmit copies of its written report to the legislative council and the general assembly meeting in 1984.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 37
By Carl, Chapman, Fey, Arnould, Parker and Haverland

Whereas, it is the goal of the General Assembly to ensure adequate health services for needy families in Iowa and in particular for needy children and pregnant women; and

Whereas, it is the goal of the General Assembly to maintain a welfare program that provides incentives to people to work rather than presenting obstacles to those who find employment; and

Whereas, the present state system of services for health coverage includes county emergency relief, the statewide indigent patient care program conducted by the state board of regents at the University of Iowa Hospitals and Clinics and the medical assistance program, but does not include a comprehensive program for families over the income eligibility guidelines for the aid to dependent children program and therefore presents a roadblock for many families on the aid to dependent children program to accept work; and

Whereas, thirty-three states operate a medically needy program under the medical assistance program to provide medical assistance, on a spend-down basis, for families who do not require welfare grant assistance but need assistance in paying medical bills; and

Whereas, establishment of a medically needy program would provide an additional means of serving needy families, would do so with substantial federal financial participation, and could serve to reduce the costs of county emergency relief programs and the statewide indigent patient care program; and

Page 2

Whereas, establishment of a medically needy program could have positive long-term effects and cost reductions in the aid to dependent children program; and

Whereas, the General Assembly requires additional data on Iowa's current health service programs for low-income families in order to assess the overall need for and costs associated with establishing a medically needy program and the effect the establishment of a medically needy program would have on other state and county health service and educational programs and costs; and

Whereas, the state Department of Social Services or its successor agency, the state Department of Health, the state Department of Public Instruction,

and the University of Iowa Hospitals and Clinics and its specialized child health services are currently conducting a joint study of the health care delivery system for mothers and children in Iowa, with the director of the Legislative Fiscal Bureau invited to sit on the steering committee, and this study may provide pertinent information for the General Assembly to evaluate the need for and cost of a medically needy program; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the Legislative Fiscal Bureau, from information collected during the legislative interim, report to the General Assembly on the cost of establishing a medically needy program within the state medical assistance program and the

Page 3

potential cost-savings of such a program to the indigent patient care program, to county emergency relief programs, and to the state's aid to dependent children program; and

Be It Further Resolved, That the Department of Social Services or its successor agency and the University of Iowa Hospitals and Clinics cooperate fully with the Legislative Fiscal Bureau in obtaining the necessary information, that to the extent possible the Legislative Fiscal Bureau obtain through the joint study on health care delivery for mothers and children in Iowa the information necessary to prepare the report, and that the Legislative Fiscal Bureau seek outside professional assistance, including assistance from the Health Policy Corporation of Iowa, in analyzing the information; and

Be It Further Resolved, That, beginning July 1, 1983, under the direction of the Legislative Fiscal Bureau and the Department of Social Services or its successor agency, the University of Iowa Hospitals and Clinics shall collect information from the counties on the clients served under the statewide indigent patient care program including family status, employment status, financial status, third-party coverage, county of residence, and other information deemed necessary, with all information identifying individuals considered patient records of the University Hospitals and its confidentiality maintained accordingly; and

Be It Further Resolved, That the Legislative Fiscal Bureau shall give special attention to the collection

Page 4

of information from the University of Iowa Hospitals and Clinics about the obstetrics and gynecology program of the indigent patient care program, and that the Legislative Fiscal Bureau shall evaluate all information in order to determine which clients served under this program at the University of Iowa Hospitals and Clinics meet the eligibility criteria for a medically needy program under the state medical assistance program; and

Be It Further Resolved, That the University of Iowa Hospitals and Clinics may work with the Department of Social Services or its successor agency in an effort to obtain a Title XIX waiver to provide obstetric and pediatric services to children and pregnant women from low-income families under the auspices of the University of Iowa Hospitals and Clinics and its statewide patient care networks through the medical assistance program if such a waiver is determined to be cost-effective; and

Be It Further Resolved, That the Legislative Fiscal Bureau shall select a representative sample of counties and examine these counties' use of the statewide indigent patient care program and use of county emergency relief funds to provide medical care for individuals who would qualify for a state medically needy program; and

Be It Further Resolved, That the Legislative Fiscal Bureau shall collect data on other states' experiences in providing health care services through a medically needy program within the medical assistance program

Page 5

and those states' experiences in reducing caseloads under the aid to dependent children program and other state programs; and

Be It Further Resolved, That the Legislative Fiscal Bureau shall deliver a preliminary report regarding the progress of its study of the medically needy program to the Legislative Council and the members of the Appropriations Subcommittee on Social Services by November 1, 1983 and an additional report of any tentative findings of the study to the General Assembly on January 15, 1984, and a final report of the study no later than January 15, 1985.

Laid over under Rule 25.

On motion by Norland of Worth, the House was recessed at 12:37 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson 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 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 634, a bill for an act relating to lotteries by providing for a state lottery and an agency to oversee lottery operations.

K. MARIE THAYER, Secretary

HOUSE INSISTS

Connolly of Dubuque called up for consideration **Senate File 543,** a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-nine members present, twenty-one absent.

Daggett of Taylor in the chair at 1:55 p.m.

The House resumed consideration of Senate File 543.

Connolly of Dubuque moved that the House recede from its amendment.

Roll call was requested by Schnekloth of Scott and Arnould of Scott.

Rule 76 was invoked.

On the question "Shall the House recede from its amendment?"

The ayes were, 33:

Anderson	Avenson	Bennett	Branstad
Chiodo	Cochran	Connolly	Cooper
Davitt	Groth	Halvorson, R. A.	Halvorson, R. N.
Harbor	Haverland	Hughes	Jochum
Knapp	Maulsby	McKean	Miller
O'Kane	Ollie	Oxley	Pellett
Rosenberg	Royer	Schroeder	Spear
Stueland	Swartz	Swearingen	Tofte
Mr. Speaker (Daggett)			

The nays were, 59:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Copenhaver	Corey
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Gruhn	Hammond	Hanson	Hermann
Hoffmann-Bright	Holveck	Hummel	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Menke	Muhlbauer	Mullins
Norland	Osterberg	Parker	Paulin
Peick	Poncy	Renaud	Renken
Rensink	Running	Schnekloth	Sherzan
Skow	Sturgeon	Sullivan	Tabor
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	

Absent or not voting, 8:

Baxter	Connors	Handorf	Jay
Pavich	Shoultz	Stromer	Torrence

The motion lost and the House insists on its amendment.

SENATE MESSAGE CONSIDERED

Senate File 556, by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Read first time and **passed on file.**

Speaker Avenson in the chair at 2:25 p.m.

ADOPTION OF HOUSE RESOLUTION 14

Fey of Scott asked and received unanimous consent for the immediate consideration of House Resolution 14, urging Congress to continue the federal funding of veterans centers, filed on May 12, 1983 and found on page 2120 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 32

Running of Linn called up for consideration House Concurrent Resolution 32, requesting the Legislative Council to direct the program evaluation division to perform an evaluation of Department of Social Services child care licensing, registration and inspection procedures, filed on May 11, 1983 and found on page 2014 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

CONFERENCE COMMITTEE APPOINTED
(Senate File 543)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 543: Arnould of Scott, Chair; Gronstal of Pottawattamie, Connolly of Dubuque, Halvorson of Clayton and Schnekloth of Scott.

SENATE FILE 556 SUBSTITUTED FOR HOUSE FILE 656

Norland of Worth asked and received unanimous consent to substitute Senate File 556 for House File 656.

Senate File 556, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are considated into new or existing block grants, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H—4235 filed by him from the floor:

H—4235

Amend Senate File 556 as passed by the Senate as follows:

1. Page 17, by inserting after line 17 the following:

"Sec. . Section 17A.8, subsection 1, Code 1983, is amended to read as follows:

1. There is created the "Administrative Rules Review Committee." The committee shall be bipartisan and not more than two members from each house shall be of the same political party. The committee shall be composed of the following members:

a. ~~Three~~ Four senators appointed by the president of the senate.

b. ~~Three~~ Four representatives appointed by the speaker of the house."

2. By numbering and renumbering sections to conform to this amendment.

Lonergan of Boone rose on a point of order that amendment H—4235 was not germane.

The Speaker ruled the point well taken and amendment H—4235 not germane.

Muhlbauer of Crawford in the chair at 2:33 p.m.

Welden of Hardin offered the following amendment H—4232 filed by him from the floor and moved its adoption:

H—4232

Amend Senate File 556 as follows:

1. Page 13, by inserting after line 7 the following:

"The funds allocated in this section shall not be allocated until the comptroller's estimate of revenue for the balance of the fiscal year as of September 30, 1983, is released.

If the estimate indicates that there will be insufficient funds available to fully implement the appropriations for the department of human services as set out in House File 641, 1983 session, and reductions are made in all state departments funds, the funds in this section shall be allocated as follows:

They shall be allocated to supplement state funds appropriated to the programs listed in section 12, subsection 3, in the same proportion as the allocations in that subsection, to the extent of the shortfall or the funds contained in this section, whichever is less."

Roll call was requested by Welden of Hardin and Harbor of Mills.

On the question "Shall amendment H—4232 be adopted?"

The ayes were, 35:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
Menke	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Stromer
Stueland	Swearingen	Van Camp	Van Gerpen
Van Maanen	Welden	Mr. Speaker (Muhlbauer)	

The nays were, 57:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Chiodo	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	McKean	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Zimmerman			

Absent or not voting, 8:

Baxter	Cochran	Pavich	Schroeder
Shoultz	Tofte	Torrence	Woods

Amendment H—4232 lost.

Arnould 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. 556)

The ayes were, 83:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Menke	Miller	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Van Camp	Van Gerpen
Varn	Zimmerman	Mr. Speaker (Muhlbauer)	

The nays were, 10:

Anderson	Bennett	Branstad	Grandia
Hermann	Maulsby	Renken	Rensink
Van Maanen	Welden		

Absent or not voting, 7:

Baxter	Haverland	Pavich	Shoultz
Tofte	Torrence	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 556)

Norland of Worth asked and received unanimous consent to immediately message Senate File 556 to the Senate.

SENATE AMENDMENT CONSIDERED

Lonergan of Boone called up for consideration **House File 613**, a bill for an act relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984, amended by the Senate, and moved that the House concur in the following Senate amendment H–4224:

H–4224

Amend House File 613 as amended, passed and reprinted by the House as follows:

1. Page 3, by inserting after line 27 the following:

"It is the intent of the general assembly that a licensed practical nurse may practice in head start programs without the need of supervision of a licensed registered nurse or a licensed physician. To the extent that subrule 590 IAC 6.3(3) conflicts with this provision, the subrule is void."

2. Page 6, by inserting after line 31 the following:

"It is the intent of the general assembly that the childhood cancer diagnostic and treatment network program and the rural comprehensive care for hemophilia patients be continued at the university of Iowa hospitals and clinics at the funding level of the fiscal year beginning July 1, 1982, and ending June 30, 1983. To provide for the contingency that federal funds would not be available to maintain that funding level, there is appropriated from the general fund of the state to the office of the state comptroller for the fiscal year beginning July 1, 1983, and ending June 30, 1984, the sum of seventy-four thousand four hundred fifty (74,450) dollars, or so much thereof as is necessary. The state comptroller, upon receipt of verified amounts of federal funds received by the university of Iowa hospitals and clinics for the programs specified in this paragraph, shall pay to the university of Iowa hospitals and clinics an amount equal to the difference between the amount of the original grant application and the amount of the grant as approved by the United States department of health and human services. Any funds remaining from this appropriation shall revert to the state general fund on June 30, 1984."

3. Page 17, line 13, by inserting after the word "relinquish" the words "to the family planning council of Iowa through the department of health and human services".

4. Renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment.

Lonergan of Boone 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. 613)

The ayes were, 91:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Van Camp	Van Gerpen	Van Maanen
Varn	Zimmerman	Mr. Speaker (Muhlbauer)	

The nays were, none.

Absent or not voting, 9:

Baxter	Carl	Davitt	Pavich
Shoultz	Tofte	Torrence	Welden
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Avenson in the chair at 3:07 p.m.

IMMEDIATE MESSAGE
(House Concurrent Resolution 32)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolution 32 to the Senate.

CONSIDERATION OF THE REPORT OF THE CONFERENCE COMMITTEE
(House File 638)

Knapp of Dubuque called up for consideration the report of the conference committee on House File 638 as follows:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 638

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management, respectfully make the following report:

1. That the Senate recede from its amendment, H—4065, to House File 638 as amended, passed and reprinted by the House.

2. That House File 638, as amended, passed and reprinted by the House, be amended as follows:

1. Page 1, line 14, by striking the figure "1,358,975" and inserting in lieu thereof the figure "1,311,197".

2. Page 1, by inserting after line 14 the following:

"It is the intent of the general assembly that the collection of agricultural statistics under sections 3 and 4 of this act not commence until January 1, 1984."

3. Page 3, by striking lines 5 through 18 and inserting in lieu thereof the following:

"Sec. 3. Section 159.11, Code 1983, is amended to read as follows:

159.11 ~~ASSESSOR~~ AGRICULTURAL STATISTICS. Agricultural statistics shall be collected each ~~even-numbered~~ year by the ~~assessors under the supervision of the~~ department, which shall design ~~and distribute blank forms and instructions~~ surveys, collect data and publish county estimates of agricultural items. The department may make public announcements of the information collected and may provide copies without fee to vocational agricultural schools, state agricultural extension service and libraries. The department shall establish subscription fees for access by other parties to the information collected under this section. The fees shall be deposited in the general fund of the state. Production and acreage data collected under this section and provided by the department to the department of revenue shall not be adjusted for accuracy by the department of revenue.

Sec. 4. Section 159.12, Code 1983, is amended to read as follows:

159.12 RETURNS ~~BY ASSESSOR~~. The ~~assessor~~ department shall require each person ~~whose property is listed,~~ requested to make answers to such inquiries as may be necessary to allow the return of the statistics, carefully footed and summarized, to the department ~~on or before the fifteenth day of April of~~ each ~~even-numbered~~ year."

4. Page 8, line 21, by striking the figure "3,106,382" and inserting in lieu thereof the figure "3,006,382".

5. Page 8, line 31, by striking the word ", Mexico".

6. Page 9, by inserting after line 18 the following:

"7. It is a condition of the funds appropriated by subsection 1 that if the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full, the governor is authorized to and shall revert to the general fund the unobligated and unencumbered balance of the three hundred ninety-six thousand seven hundred nineteen (396,719) dollars appropriated by subsection 1 for advertising to promote tourism and conventions, attendance at travel shows, issuing economic impact reports, printing brochures, hosting writers and agents and for a special research project on high technology before making reductions in allotments as allowed under section 8.31."

7. Page 12, by inserting after line 24 the following:

"3. For assistance to county commissions under chapter 93A ..... $ 99,000"

8. Page 13, by inserting after line 19 the following:

"6. The funds appropriated by subsection 3 shall be allocated at one thousand (1,000) dollars to each county commission for assistance in compiling inventories under chapter 93A. If a county commission has not compiled an inventory as required by chapter 93A, the unexpended balance of the assistance shall revert to the general fund of the state."

9. Page 16, by inserting after line 8 the following:

"Sec. 22. Section 441.21, subsection 1, paragraph e, Code 1983, is amended to read as follows:

e. The actual value of agricultural property shall be determined on the basis of productivity and net earning capacity of the property determined on the basis of its use for agricultural purposes capitalized at a rate of seven percent and applied uniformly among counties and among classes of property. Any formula or method employed to determine productivity and net earning capacity of property shall be adopted in full by rule.

Sec. 23. Section 22 becomes effective January 1, 1984."

ON THE PART OF THE HOUSE:	ON THE PART OF THE SENATE:
DONALD J. KNAPP, Chair	HURLEY W. HALL, Chair
DENNIS H. BLACK	JAMES V. GALLAGHER
MARVIN E. DIEMER	JACK HESTER
SEMOR C. TOFTE	BERL E. PRIEBE
	RICHARD VANDE HOEF

Norland of Worth asked and received unanimous consent to defer action on the conference committee report to House File 638.

The House stood at ease at 3:15 p.m., until the fall of the gavel.

The House resumed session at 3:38 p.m., Speaker Avenson in the chair.

SPECIAL PRESENTATION

Krewson of Polk asked and received unanimous consent for the members of the "Big Band Dance Committee" to come to the front of the well along with Jack Walters, Director of General Services. A check in the amount of $683.49 was presented to Mr. Walters which will be used to purchase a tree for the Capitol grounds.

The House stood at ease at 3:42 p.m., until the fall of the gavel.

The House resumed session at 5:18 p.m., Speaker Avenson in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 652.

CONSIDERATION OF BILLS
Regular Calendar

House File 652, a bill for an act relating to the penalties for certain crimes including the crime of operating a motor vehicle while

under the influence of alcohol or drugs or while having thirteen hundredths or more of one percent of alcohol in the blood, and the crime of false use of a financial instrument, with report of committee recommending passage was taken up for consideration.

Jay of Appanoose asked and received unanimous consent to temporarily defer action on amendment H—4134 filed by the committee on judiciary and law enforcement.

Jay of Appanoose offered the following amendment H—4237 filed from the floor by Jay, McIntee, Rosenberg, Halvorson of Clayton and Sherzan and moved its adoption:

H—4237

Amend House File 652 as follows:
By striking everything after the enacting clause and inserting in lieu thereof the following:
"Section 1. Section 715.6, Code 1983, is amended to read as follows:
715.6 FALSE USE OF A FINANCIAL INSTRUMENT—PENALTIES. The use of a financial instrument with the intent to obtain fraudulently anything of value by ~~one~~ a user who knows that the instrument is not what it purports to be, or who knows that ~~he or she~~ the user is not the person nor the authorized agent of the person who, as shown on the instrument, has the right to so use the instrument, ~~shall constitute~~ constitutes the false use of a financial instrument.
PARAGRAPH DIVIDED. False use of a financial instrument as defined in section 715.1, subsection 2, 3, or 4, is false use of a financial instrument in the first degree. False use of a financial instrument as defined in section 715.1, subsection 1, to obtain property one hundred dollars or more in value, is false use of a financial instrument in the first degree. False use of a financial instrument in the first degree is a class ~~"C"~~ "D" felony.
False use of a financial instrument as defined in section 715.1, subsection 1, to obtain property not exceeding one hundred dollars in value, is false use of a financial instrument in the second degree. False use of a financial instrument in the second degree is an aggravated misdemeanor.
The value of property for purposes of this section is its normal market or exchange value within the community at the time of the false use of a financial instrument with intent to obtain the property. If

money or property is sought to be obtained by a series of false uses of financial instruments from the same person or location, or from different persons by a series of false uses of financial instruments which occur in approximately the same location or time period so that the attempts to obtain property are attributable to a single scheme, plan or conspiracy, such false uses of financial instruments may be considered a single false use of a financial instrument and the value may be the total value of all the property sought to be obtained."

Amendment H—4237 was adopted placing the following amendments out of order:

H—4123 (page 1) filed by Schroeder of Pottawattamie on May 10, 1983.

H—4134 (page 2) filed by the committee on judiciary and law enforcement on May 10, 1983.

H—4172 (page 2) filed by Spear of Lee on May 11, 1983.

H—4174 (page 1) filed by Rosenberg of Story on May 11, 1983.

H—4179 (page 1) filed by Sherzan of Polk and Rosenberg of Story on May 11, 1983.

H—4180 (to amendment H—4174) filed by Sherzan of Polk and Rosenberg of Story on May 11, 1983.

H—4218 (page 1) filed by McIntee, et al., on May 12, 1983.

The following amendment H—4239 filed by Spear of Lee from the floor was adopted by unanimous consent:

H—4239

Amend House File 652 as follows:

1. Title page, by striking lines 1 through 5 and inserting in lieu thereof the following: "An Act relating to the crime of false use of a financial instrument and providing penalties."

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 652)

The ayes were, 92:

Anderson	Arnould	Bennett	Black

Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Tofte	Van Camp

Absent or not voting, 6:

Baxter	Jochum	Miller	Pavich
Stromer	Torrence		

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 652)

Norland of Worth asked and received unanimous consent to immediately message House File 652 to the Senate.

HOUSE FILE 225 WITHDRAWN

Welden of Hardin asked and received unanimous consent to withdraw House File 225 from further consideration by the House.

The House stood at ease at 5:28 p.m., until the fall of the gavel.

The House resumed session at 6:21 p.m., Connors of Polk in the chair.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (House File 343)

Woods of Polk called up for consideration the report of the conference committee on House File 343 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 343

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 343, a bill for an act authorizing the conservation commission to protect and manage all wild vertebrates, respectfully make the following report:

1. That the Senate recede from its amendment, H–3771, to House File 343, as amended and passed by the House.

2. That House File 343, as amended and passed by the House, be amended as follows:

1. Page 1, by inserting after line 33 the following:

"Sec. . Section 109.1, Code 1983, is amended by adding the following new subsection after subsection 13:

NEW SUBSECTION. 13A. "Wild mammal" means a mammal and family of mammal listed in sections 109.40 and 109.41."

2. Page 2, line 2, by striking the word "mammals,".

3. By numbering and renumbering as necessary.

4. Title page, by striking line 2 and inserting in lieu thereof the following: "manage wild game and nongame mammals, birds, reptiles, amphibians, and fish."

ON THE PART OF THE HOUSE:
JACK E. WOODS, Chair
DENNIS H. BLACK
WILLIAM R. SULLIVAN
SEMOR C. TOFTE
MARVIN E. DIEMER

ON THE PART OF THE SENATE:
BASS VAN GILST, Chair
DON E. GETTINGS
NORMAN J. GOODWIN
HURLEY W. HALL
JACK W. HESTER

The motion prevailed and the report 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?" (H.F. 343)

The ayes were, 76:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Connolly	Cooper
Corey	Daggett	Davitt	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Poncy	Rosenberg	Royer	Sherzan
Shoultz	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tofte	Van Camp	Van Gerpen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 10:

De Groot	Grandia	Handorf	Maulsby
Pellett	Renken	Rensink	Schnekloth
Stueland	Van Maanen		

Absent or not voting, 14:

Baxter	Branstad	Cochran	Copenhaver
Harbor	Lloyd-Jones	Menke	O'Kane
Pavich	Renaud	Running	Schroeder
Tabor	Torrence		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 13, 1983, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 652, a bill for an act relating to the crime of false use of a financial instrument and providing penalties.

Also: That the members of the conference committee to Senate File 543, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and which terminates the two percent discount rate for the sale of cigarette stamps, on the part of the Senate, appointed May 13, 1983, are: The Senator from Dallas, Senator Rodgers, Chair; the Senator from Wapello, Senator Gettings; the Senator from Scott, Senator Holden; the Senator from Montgomery, Senator Hultman; and the Senator from Polk, Senator Kinley.

K. MARIE THAYER, Secretary

The House stood at ease at 6:30 p.m., until the fall of the gavel.

The House resumed session at 7:21 p.m., Connors of Polk in the chair.

The House stood at ease at 7:22 p.m., until the fall of the gavel.

The House resumed session at 8:29 p.m., Speaker Avenson in the chair.

CONFERENCE COMMITTEE REPORTS FILED

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee reports on the following bills have been received and are on file in the office of the Chief Clerk:

Senate File 548, a bill for an act for the purpose of improving the Iowa economy and providing improved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa development commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and water conservation practices, authorizing the Iowa department of transportation to issue and become obligated for road use tax revenue bonds,

appropriating funds for the purpose of providing state matching funds for the Title III dislocated workers program of the Jobs Training Partnership Act, and making various appropriations to carry out the programs

Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects.

JOSEPH O'HERN
Chief Clerk of 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 12th day of May, 1983: House Files 312, 574, 581 and 621.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 12, 1983, he approved and transmitted to the Secretary of State the following bills:

Senate File 145, an act requiring the state department of transportation to dispose of all right-of-way owned by the department and not needed for projects by July 1, 1992.

Senate File 177, an act relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs.

Senate File 444, an act relating to the practice of veterinary medicine.

Senate File 452, an act relating to certain vehicles, which deletes the requirement that a person transporting a mobile home provide a copy of a tax clearance statement to the state department of transportation, provides for an increase in the permit fees charged vehicles of excessive size and weight, increases the suspension period for violators, requires certain vehicles to carry a warning device, eliminates the length restriction of seventy feet for Iowa manufactureed vehicles, and permits the department of transportation to require an escort for overdimensional vehicles.

Senate File 477, an act relating to the liability of dog owners.

Senate File 481, an act relating to the court fees charged and collected as the journal publication fee.

Senate File 492, an act relating to the method of selecting petit jurors.

Senate File 498, an act relating to the liability for a subrogation claim for medical care or expenses through a medical assistance program.

Senate File 499, an act providing for the preservation of rail corridors for future rail use upon abandonment of the rail corridors.

Senate File 500, an act relating to the rate of inspection fees paid on commercial feeds.

COMMUNICATION FROM SECRETARY OF STATE

May 12, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 90 was published in the Ames Daily Tribune, Ames, Iowa on May 4, 1983 and in the Muscatine Journal, Muscatine, Iowa on May 10, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Thursday, May 12, 1983. Had I been present, I would have voted "aye" on Senate File 545.

VAN CAMP of Scott

I was necessarily absent from the House chamber on May 12, 1983. Had I been present, I would have voted "aye" on House File 649.

TABOR of Jackson

I was necessarily absent from the House chamber for a short

time on Friday, May 13, 1983. Had I been present, I would have voted "aye" on Senate File 544.

VAN GERPEN of Black Hawk

PRESENTATION OF VISITORS

Davitt of Warren presented to the House the Honorable James Middleswart, former member of the House representing Warren County.

The Speaker announced that the following visitors were present in the House chamber:

Ninety eighth grade students from Wilson Junior High School, Cedar Rapids, accompanied by Art Wilkin, Bob Schmidt and Ann Lingo. By Brammer, Chapman and Running of Linn.

Forty-nine students from Smith Elementary School, Sioux City, accompanied by Mrs. Renfro, Mr. Clauson and Mr. Greene. By Sturgeon, O'Kane and Miller of Woodbury.

Twenty students from St. Marys School, Humboldt, accompanied by Mrs. La Bounty. By Mullins of Kossuth.

COMMUNICATION RECEIVED

The following communication has been received and is on file in the office of the Chief Clerk:

CITIZENS' AIDE/OMBUDSMAN

The 1982 annual report, pursuant to Chapter 601G.18, Code of Iowa.

HOUSE CONCURRENT RESOLUTION 38
By Hummel

Whereas, the area education agencies have been established and funded with tax dollars to provide services to school districts in this state; and

Whereas, through their educational services divisions, the area education agencies possess the capability of providing a number of different printing services for providing printed materials to the school district; and

Whereas, the area education agencies are able to provide these printing services to school districts in the area at lower rates than can be charged by businesses in the private sector; and

Whereas, the area education agencies openly solicit school districts in their areas to order printed materials not only for classroom and extracurricular activities, but also materials that have little or no relationship to the educational process; and

Whereas, there is a concern that the printing services of the area education agencies are unfairly competing with printing services in the private sector; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the department of public instruction, in consultation with the area education agencies, is directed to adopt rules under chapter 17A to provide guidelines to the area education agencies to ensure that the printing services of the area education agencies are not competing unfairly with printing services in the private sector and limiting the kinds of materials that the area education agencies can print.

Laid over under Rule 25.

AMENDMENTS FILED

H—4234	H.F.	634	Senate Amendment
H—4236	H.F.	659	Connors of Polk Running of Linn
H—4238	H.F.	654	Schroeder of Pottawattamie Chiodo of Polk
H—4240	H.F.	659	Swartz of Marshall
H—4241	H.F.	659	Swartz of Marshall
H—4242	H.F.	610	Cochran of Webster Clark of Cerro Gordo
H—4243	H.F.	659	Swartz of Marshall
H—4244	H.F.	652	Senate Amendment

On motion by Norland of Worth, the House adjourned at 8:30 p.m., until 9:00 a.m., Saturday, May 14, 1983.

JOURNAL OF THE HOUSE

One Hundred Twenty-fifth Calendar Day—Eighty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Saturday, May 14, 1983

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable Joyce Lonergan, state representative from Boone County.

The Journal of Friday, May 13, 1983 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pavich of Pottawattamie on request of Speaker Avenson; Torrence of Muscatine on request of Stromer of Hancock; Mullins of Kossuth on request of Lageschulte of Bremer.

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 12, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 69, a bill for an act relating to the refund of state sales, services, and use tax paid by contractors upon goods, wares, or merchandise or from services rendered, furnished, or performed to a contractor used in the performance of a contract for the state, a political subdivision, or an instrumentality of the state or a political subdivision, and making the bill retroactive.

Also: That the Senate has, on May 12, 1983, adopted the conference committee report and passed House File 627, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code.

Also: That the Senate has on May 12, 1983, 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 641, a bill for an act relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdic-

tion of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Also: That the Senate has on May 12, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 635, a bill for an act relating to the state inheritance tax by eliminating the preliminary inheritance tax return, specifying the value to use in computing the tax, providing for inheritance tax receipts and collection of the tax, including penalties and interest and making coordinating amendments.

Also: That the Senate has on May 12, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 650, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to file for exemption from property taxes for a designated tax year.

Also: That the Senate has on May 12, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 545, a bill for an act relating to registration, elections and the Iowa election campaign fund.

Also: That the Senate has on May 12, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 549, a bill for an act relating to court structure and procedures by appropriating for certain court costs and for additional judicial salaries and support.

Also: That the Senate has on May 12, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 550, a bill for an act relating to determining the cost of certain state publications.

K. MARIE THAYER, Secretary

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (House File 638)

The House resumed consideration of the conference committee report on House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management, found on pages 2144 through 2146 of the House Journal.

Knapp of Dubuque moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the report was adopted.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 638)

The ayes were, 91:

Anderson	Arnould	Bennett	Black
Blanshan	Branstad	Buhr	Carpenter
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Schroeder	Sherzan
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Tofte	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Baxter	Brammer	Carl	Groninga
Mullins	O'Kane	Pavich	Running
Torrence			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 178.

Unfinished Business Calendar

Senate File 178, a bill for an act relating to the inclusion of optometric services in health insurance policies or contracts if the vision care services or procedures are covered when performed by other health care providers, with report of committee recommending amendment and passage was taken up for consideration.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H—3583 filed by the committee on small business and commerce on April 8, 1983.

Hermann of Scott asked and received unanimous consent to withdraw amendment H—3748 filed by him on April 13, 1983.

Zimmerman of Dallas moved that Senate File 178 be rereferred to the committee on small business and commerce.

A non-record roll call was requested.

The ayes were 15, nays 59.

The motion lost.

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?" (S.F. 178)

The ayes were, 82:

Anderson	Arnould	Bennett	Black
Blanshan	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot
Diemer	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.

Halvorson, R. N.	Hammond	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jochum	Knapp
Koenigs	Krewson	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Menke	Miller	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Paulin
Peick	Pellett	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Tofte
Van Camp	Van Gerpen	Varn	Welden
Woods	Mr. Speaker		

The nays were, 13:

Brammer	Chiodo	Clark	Doderer
Fey	Handorf	Jay	Parker
Poncy	Sherzan	Shoultz	Van Maanen
Zimmerman			

Absent or not voting, 5:

Baxter	Mullins	O'Kane	Pavich
Torrence			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 638)

Norland of Worth asked and received unanimous consent to immediately message House File 638 to the Senate.

SENATE AMENDMENT CONSIDERED

Jay of Appanoose called up for consideration **House File 652**, a bill for an act relating to the crime of false use of a financial instrument and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H–4244:

H–4244

Amend House File 652, as amended, passed and reprinted by the House, as follows:

1. Page 2, by inserting after line 1 the following:
"Sec. 2. Section 903.1, Code 1983, is amended to read as follows:
903.1 MAXIMUM SENTENCE FOR MISDEMEANANTS.
1. When a person is convicted of a simple or serious misdemeanor and a specific penalty is not provided for, the court shall determine the sentence, and shall fix the period of confinement or the amount of fine, if such be the sentence, within the following limits:
~~1. For an aggravated misdemeanor, imprisonment not to exceed two years, or a fine not to exceed five thousand dollars, or both.~~
~~2. For a serious misdemeanor, imprisonment not to exceed one year, or a fine not to exceed one thousand dollars, or both.~~
3 a. For a simple misdemeanor, imprisonment not to exceed thirty days, or a fine not to exceed one hundred dollars.
b. For a serious misdemeanor, imprisonment not to exceed one year, or a fine not to exceed one thousand dollars, or both.
2. When a person is convicted of an aggravated misdemeanor, and a specific penalty is not provided for, the maximum penalty shall be imprisonment not to exceed two years, or a fine not to exceed five thousand dollars, or both. When a judgment of conviction of an aggravated misdemeanor is entered against any person and the court imposes a sentence of confinement for a period of more than one year the term shall be an indeterminate term.
Sec. 3. Section 2 of this Act amending section 903.1 of the Code, takes effect July 1, 1983, but also applies retroactively to January 1, 1978."
2. Title page, line 1, by inserting after the word "to" the words "the penalties for certain crimes including crimes for which the penalty is an aggravated misdemeanor and".

The motion prevailed and the House concurred in the Senate amendment H—4244.

Jay of Appanoose 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. 652)

The ayes were, 93:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Tofte	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 1:

Chiodo

Absent or not voting, 6:

Baxter	Mullins	O'Kane	Pavich
Torrence	Van Gerpen		

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 at 10:13 a.m., until the fall of the gavel.

The House resumed session at 12:05 p.m., Speaker Avenson in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 658 and Senate Files 56 and 524.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 658, a bill for an act relating to the direct deposits of revenue and special assessments collected by the county treasurer, was taken up for consideration.

Doderer of Johnson offered the following amendment H–4197 filed by her and moved its adoption:

H–4197

Amend House File 658 as follows:
1. By striking page 2, line 26 through page 3, line 1, and inserting in lieu thereof the following:
"Sec. . 1983 Iowa Acts, House File 628, section 78, is amended to read as follows:
SEC. 78. NEW SECTION. 176A.12 COUNTY AGRICULTURAL EXTENSION FUND. A county agricultural extension education fund shall be established in each county and the county treasurer of each county shall keep the amount of tax levied under this chapter in that fund. Before the fifteenth day of each month, the treasurer shall notify the chairperson of the county extension council of the amount collected for this fund to the first day of that month~~,~~ and ~~the chairperson shall draw a draft for that amount, countersigned by the secretary, upon the treasurer who~~ shall pay that amount to the treasurer of the extension council ~~upon receipt of the draft~~ as provided in section 1 of this Act."

Amendment H–4197 was adopted.

Davitt 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. 658)

The ayes were, 90:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot

Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Baxter	Branstad	Carter	Chiodo
Lageschulte	Mullins	Pavich	Shoultz
Tofte	Torrence		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 56, a bill for an act relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property, with report of committee recommending passage was taken up for consideration.

Varn 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. 56)

The ayes were, 89:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Copenhaver
Corey	Daggett	Davitt	De Groot

Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hoffmann-Bright	Holveck	Hughes
Hummel	Jay	Jochum	Knapp
Koenigs	Krewson	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Menke
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Schroeder	Sherzan
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Van Camp	Van Gerpen	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Baxter	Carter	Chiodo	Connors
Lageschulte	Mullins	O'Kane	Pavich
Shoultz	Tofte	Torrence	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 524, a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for wages paid or accrued for work done in the state by certain individuals, with report of committee recommending amendment and passage was taken up for consideration.

Cochran of Webster offered the following amendment H—4159 filed by the committee on ways and means and moved its adoption:

H—4159

Amend Senate File 524, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 25, by inserting after the figure "28" the words ", except that it shall also include the operation of a farm".

2. Page 3, line 30, by inserting after the figure "28" the words ", except that it shall also include the operation of a farm".

The committee amendment H—4159 was adopted.

Skow of Guthrie in the chair at 12:28 p.m.

Clark of Cerro Gordo offered the following amendment H—4176 filed by her and Hummel of Benton and moved its adoption:

H—4176

Amend Senate File 524 as amended, passed and reprinted by the Senate as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 422.7, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. If the adjusted gross income includes income or loss from a trade or business operated by the taxpayer and the number of employees of that trade or business exceeded, at any time during the trade or business's annual accounting period ending with or during the taxpayer's tax year, the threshold employee level for the annual accounting period, an adjustment shall be made in computing the income or loss from that trade or business by allowing as a deduction in computing that income or loss an additional fifty percent of the wages paid to the most recent employees hired during the accounting period who were domiciled in Iowa on the date of their employment. However, the amount of the deduction shall be computed only for the number of employees in excess of the threshold employee level for the annual accounting period and only for the wages paid during the accounting period that the threshold employee level was exceeded. Also, the amount of the deduction allowed for an accounting period shall not exceed an amount equal to one-half of the amount by which all wages paid during the accounting period exceeded the amount of wages paid by the trade or business during the highest of the previous three annual accounting periods or during the highest one of the previous annual accounting periods if the trade or business has been in operation for less than three years. This deduction shall not be allocated or apportioned to another state.

For purposes of this subsection, the "threshold employee level for the annual accounting period" is the highest number of employees of the trade or business at any time during the previous three annual accounting periods or during all the previous annual

accounting periods if the trade or business has been in operation for less than three years, and "employee" means an individual who works within or without Iowa on a part-time or full-time basis but does not include an individual who is an owner of the trade or business or for whom this subsection applies. "Employee" also does not include an individual who is hired to replace another employee who has been terminated. The department may by rule establish the criteria for determining when an employee has been hired to replace

Page 2

a terminated employee. If the trade or business began operation during the accounting period, the threshold employee level for that accounting period is zero.

If the trade or business has been sold or otherwise transferred to a subsequent employing unit or, if one or more employing units have been reorganized or merged into a single employing unit and the successor employer continues to operate the trade or business, the successor employer shall assume the position of the predecessor employer or employers with respect to the predecessors' threshold employee level for the annual accounting period which is attributable to the part of the business transferred, to the same extent as if the ownership or control had not changed.

If a clearly segregable and identifiable part of a trade or business has been sold or otherwise transferred to a subsequent employing unit, and the successor employing unit continues to operate the trade or business, the successor shall assume the position of the predecessor employer with respect to the threshold employee level for the annual accounting period, which is attributable to the part of the trade or business transferred to the same extent as if the ownership or control of the trade or business had not changed.

This subsection does not apply to tax years beginning on or after January 1, 1987.

Sec. 2. Section 422.35, Code 1983, is amended by adding after subsection 6 the following new subsection:

NEW SUBSECTION. If the number of employees of the taxpayer exceeded, at any time during the tax year, the threshold employee level for the tax year, subtract fifty percent of the wages paid to the most recent employees hired during the tax year who were domiciled in Iowa on the date of their employment. However, the amount to be subtracted shall be computed

only for the number of employees in excess of the threshold employee level for the tax year and only for the wages paid during the tax year that the threshold employee level was exceeded. Also, the amount of the deduction allowed for an accounting period shall not exceed an amount equal to one-half of the amount by which all wages paid during the accounting period exceeded the amount of wages paid by the trade or business during the highest of the previous three annual accounting periods or during the highest one of the previous annual accounting periods if the trade or business has been in operation

Page 3

for less than three years. This deduction shall not be allocated or apportioned to another state.

For purposes of this subsection, the "threshold employee level for the tax year" is the highest number of employees of the taxpayer at any time during the previous three tax years or during all previous tax years if the taxpayer has been in operation for less than three years, and "employee" means an individual who works within or without Iowa on a part-time or full-time basis. "Employee" does not include an individual who is hired to replace another employee who has been terminated. The department may by rule establish the criteria for determining when an employee has been hired to replace a terminated employee. If the taxpayer began operation during the tax year, the threshold employee level for that tax year is zero.

If the corporation has been sold or otherwise transferred to a subsequent employing unit or, if one or more employing units have been reorganized or merged into a single employing unit and the successor employer continues to operate the corporation, the successor employer shall assume the position of the predecessor employer or employers with respect to the predecessors' threshold employee level for the annual accounting period to the same extent as if the ownership or control had not changed.

If a clearly segregable and identifiable part of a corporation has been sold or otherwise transferred to a subsequent employing unit, and the successor employing unit continues to operate the corporation, the successor shall assume the position of the predecessor employer with respect to the threshold employee level for the annual accounting period, which is attributable to the part of the corporation transferred to the same extent as if the ownership

or control of the corporation had not changed.

This subsection does not apply to tax years beginning on or after January 1, 1987.

Sec. 3. This Act takes effect July 1, 1983 for tax years beginning on or after that date."

2. Title page, by striking lines 3 through 5 and inserting in lieu thereof the words "providing an additional business deduction for increasing employment over previous years."

Roll call was requested by Clark of Cerro Gordo and De Groot of Lyon.

Rule 76 was invoked.

On the question "Shall amendment H—4176 be adopted?"

The ayes were, 40:

Anderson	Bennett	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Hummel	Krewson	Maulsby	McIntee
McKean	Menke	Miller	Paulin
Peick	Pellett	Renken	Rensink
Royer	Running	Schnekloth	Schroeder
Spear	Stromer	Stueland	Swearingen
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 50:

Arnould	Avenson	Black	Blanshan
Brammer	Buhr	Carl	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Poncy	Renaud
Rosenberg	Sherzan	Sturgeon	Sullivan
Swartz	Tabor	Varn	Woods
Zimmerman	Mr. Speaker (Skow)		

Absent or not voting, 10:

Baxter	Branstad	Carter	Lageschulte
Mullins	O'Kane	Pavich	Shoultz
Tofte	Torrence		

Amendment H—4176 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baxter of Des Moines on request of Varn of Johnson; Tofte of Winneshiek on request of Stromer of Hancock.

Davitt 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?" (S.F. 524)

The ayes were, 91:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Chapman	Chiodo
Clark	Cochran	Connolly	Connors
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Menke	Miller
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Skow)	

The nays were, none.

Absent or not voting, 9:

Baxter	Branstad	Carter	Mullins
O'Kane	Pavich	Shoultz	Tofte
Torrence			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House File 658 and Senate Files 56, 178 and 524.

On motion by Norland of Worth, the House was recessed at 12:40 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

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.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 38

Hummel of Benton asked and received unanimous consent to suspend the rules for the immediate consideration of House Concurrent Resolution 38, directing the adoption of rules to prevent area educational agency printing services from unfairly competing with the private sector, filed on May 13, 1983 and found on pages 2155 and 2156 of the House Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED

Sturgeon of Woodbury called up for consideration **House File 637**, a bill for an act relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, and to changes in Iowa's unemployment law to conform with federal law, amended by the Senate amendment H–4223 as follows:

H–4223

Amend House File 637 as amended and passed by the House, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 96.3, subsection 3, Code 1983, is amended to read as follows:

3. PARTIAL UNEMPLOYMENT. An individual who is partially unemployed in any week as defined in section 96.19, subsection 9, paragraph "b", and who meets the conditions of eligibility for benefits shall be paid with respect to that week an amount equal to the individual's weekly benefit amount less that part of wages payable to the individual with respect to that week in excess of one-fourth of the individual's weekly benefit amount. ~~Such~~ The benefits shall be rounded to the ~~higher~~ lower multiple of one dollar.

Sec. 2. Section 96.3, subsection 4, unnumbered paragraph 1, Code 1983, is amended to read as follows:

With respect to benefit years beginning on or after July 1, ~~1979~~ 1983, an eligible individual's weekly benefit amount for a week of total unemployment shall be an amount equal to the following fractions of the individual's total wages in insured work paid during that quarter of the individual's base period in which such total wages were highest; the director shall determine annually a maximum weekly benefit amount equal to the following percentages, to vary with the number of dependents, of the statewide average weekly wage paid to employees in insured work which shall be effective the first day of the first full week in July:

If the number of dependents is:	The weekly benefit amount shall equal the following fraction of high quarter wages:	Subject to the following maximum percentage of the statewide average weekly wage:
0	1/23	~~58%~~ 53%
1	1/22	~~60%~~ 55%
2	1/21	~~62%~~ 57%
3	1/20	~~65%~~ 60%
4 or more	1/19	~~70%~~ 65%

The maximum weekly benefit amount, if not a multiple of one dollar shall be rounded to the ~~higher~~ lower multiple of one dollar. However, until such time as ~~fifty-eight~~ sixty-five percent of the statewide average weekly wage exceeds one hundred ~~thirty-three~~ ninety dollars, ~~an individual with zero or one dependent who would be entitled to~~ the maximum weekly benefit ~~amount if the individual's weekly benefit amount were computed by using one-twenty-first of~~

Page 2

~~the individual's high quarter wages, subject to a maximum percentage of sixty-two percent of the statewide average weekly wage, the individual shall receive the maximum weekly benefit amount of sixty-two percent of the statewide average weekly wage~~ amounts shall be determined using the statewide average weekly wage computed on the basis of wages reported for calendar year 1981. As used in this section "dependent" means dependent as defined in section 422.12, subsection 1, paragraph "c", as if the individual claimant was a taxpayer, except that an individual claimant's nonworking spouse shall be deemed to be a dependent under this section. "Nonworking spouse" means a spouse who does not earn more than one hundred twenty dollars in gross wages in one week.

Sec. 3. Section 96.3, subsection 5, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The amount of benefits paid to an individual, which is solely due to wage credits considered to be in an individual's base period due to the exclusion and substitution of calendar quarters from the individual's base period under section 96.23, shall be charged against the account of the employer responsible for paying the weekly workers' compensation benefits for temporary total disability or during a healing period under section 85.33, section 85.34, subsection 1, or section 85A.17, or responsible for paying weekly indemnity insurance benefits.

Sec. 4. Section 96.3, subsection 7, unnumbered paragraph 2, Code 1983, is amended to read as follows:

If the department ~~cannot recover~~ determines that an overpayment ~~after two years from the last date of the overpayment~~ has been made, the charge for the overpayment against the employer's account shall be removed and the account shall be credited with an amount equal to the overpayment from the unemployment compensation trust fund.

Sec. 5. Section 96.4, subsection 3, Code 1983, is amended to read as follows:

3. ~~He or she~~ The individual is able to work, is available for work, and is earnestly and actively seeking work. The provision of this subsection shall be waived if ~~he or she~~ the individual is deemed temporarily unemployed as defined in section 96.19, subsection 9, paragraph "c" or if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph x.

Page 3

Sec. 6. Section 96.4, subsection 4, Code 1983, is amended to read as follows:

4. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work ~~of not less than four hundred dollars~~ totaling at least three and five-tenths percent of the statewide average annual wage for insured work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work ~~of not less than two hundred dollars~~ totaling at least one-half of the amount of wages required under this subsection in the calendar quarter of the base period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest. The calendar quarter wage requirements shall be rounded to the nearest multiple of ten dollars.

If the individual has drawn benefits in any benefit year, the individual must during or subsequent to that year, work in and be paid wages for insured work totaling at least ~~ten times the weekly benefit amount~~ two hundred fifty dollars, as a condition to receive benefits in the next benefit year.

Sec. 7. Section 96.4, subsection 5, paragraph c, Code 1983, is amended to read as follows:

c. With respect to services in any other capacity for an educational institution ~~(other than an institution of higher education) after December 31, 1977~~, benefits shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or terms if ~~such~~ the individual performs ~~such~~ the services in the first of such academic years or terms and there is a reasonable assurance that ~~such~~ the individual will perform such services in the second of such academic years or terms. If benefits are denied to an individual for any week as a result of this paragraph and the individual is not offered an opportunity to perform such services for the

Page 4

educational institution for the second of such academic years or terms, the individual is entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this paragraph.

Sec. 8. Section 96.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. The individual has satisfied one one-week waiting period during the individual's benefit year. To satisfy the one-week waiting period, the individual, with respect to the week in question, must be unemployed, have filed a claim for benefits, and be eligible for benefits from this state, but must not have received benefits from this or another state, and must not be eligible for benefits from another state.

Sec. 9. Section 96.5, subsection 1, Code 1983, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. x. The individual has left employment in lieu of exercising a right to bump or oust a fellow employee with less seniority or priority from the fellow employee's job.

Sec. 10. Section 96.5, subsection 7, Code 1983, is amended by adding the following new lettered paragraphs:

NEW LETTERED PARAGRAPH. d. Notwithstanding contrary provisions in paragraphs a, b and c, if an individual is separated from employment and is scheduled to receive vacation payments during the period of unemployment attributable to the employer and if the employer does not designate the vacation period pursuant to paragraph b, then payments made by the employer to the individual or an obligation to make a payment by the employer to the individual for vacation pay, vacation pay allowance or pay in lieu of vacation shall not be deemed wages as defined in section 96.19, subsection 12, for any period in excess of one week and such payments or the value of such obligations shall not be deducted for any period in excess of one week from the unemployment benefits the individual is otherwise entitled to receive under this chapter. However, if the employer designates more than one week as the vacation period pursuant to paragraph b, the vacation pay, vacation pay allowance, or pay in lieu of vacation shall be considered wages and shall be deducted from benefits.

NEW LETTERED PARAGRAPH. e. If an employer pays or is obligated to pay a bonus to an individual at

the same time the employer pays or is obligated to pay vacation pay, a vacation pay allowance, or pay in lieu of vacation, the bonus shall not be deemed wages for purposes of determining benefit eligibility and amount, and the bonus shall not be deducted from unemployment benefits the individual is otherwise entitled to receive under this chapter.

Sec. 11. Section 96.6, subsection 2, Code 1983, is amended to read as follows:

2. INITIAL DETERMINATION. A representative designated by the director shall promptly notify all interested parties to the claim of the filing thereof, and ~~said~~ the parties shall have ten days from the date of mailing the notice of the filing of said claim by ordinary mail to the last known address to protest payment of benefits to said claimant. The representative shall promptly examine the claim and any protest thereto and, on the basis of the facts found by the representative, shall determine whether or not such claim is valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, and whether any disqualification shall be imposed. The claimant has the burden of proving that the claimant meets the basic eligibility conditions of section 96.4. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to section 96.5. Unless the claimant or other interested party, after notification or within ten calendar days after such notification was mailed to the claimant's last known address, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith. If a hearing officer affirms a decision of the representative, or the appeal board affirms a decision of the hearing officer, allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally reversed, no employer's account shall be charged with benefits so paid.

Sec. 12. Section 96.6, subsection 3, Code 1983, is amended to read as follows:

3. APPEALS. Unless such appeal is withdrawn, a hearing officer, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the representative. The hearing shall be conducted pursuant to the provisions of chapter 17A relating to hearings for contested cases. Before the hearing is scheduled, the parties shall be afforded the

Page 6

opportunity to choose either a telephone hearing or an in-person hearing. A request for an in-person hearing shall be approved unless the in-person hearing would be impractical because of the distance between the parties to the hearing. A telephone or in-person hearing shall not be scheduled before the seventh calendar day after the parties receive notice of the hearing. Reasonable requests for the postponement of a hearing shall be granted. The parties shall be duly notified of the hearing officer's decision, together with the hearing officer's reasons therefor, which shall be deemed to be the final decision of the department, unless within fifteen days after the date of notification or mailing of such decision, further appeal is initiated pursuant to subsection 5 of this section.

Sec. 13. Section 96.7, subsection 3, paragraph d, unnumbered paragraph 4, contribution rate table 1, Code 1983, is amended to read as follows:

Percentage of Excess Rank	Contribution Rate Table 1
1	~~.8~~ .5
2	~~1.0~~ .9
3	~~1.2~~ 1.0
4	~~1.4~~ 1.1
5	~~1.6~~ 1.2
6	~~1.8~~ 1.5
7	~~2.0~~ 1.9
8	~~2.3~~ 2.1
9	~~2.6~~ 2.3
10	~~2.9~~ 2.7
11	~~3.2~~ 3.3
12	~~3.5~~ 3.8
13	~~3.8~~ 4.3
14	~~4.2~~ 4.9
15	~~4.6~~ 5.3
16	~~5.0~~ 5.8
17	~~5.5~~ 6.6
18	~~6.0~~ 7.0
19	~~6.0~~ 7.0
20	~~6.0~~ 7.0
21	~~6.0~~ 7.0

Sec. 14. Section 96.7, subsection 3, paragraph d, unnumbered paragraph 4, contribution rate table 2, Code 1983, is amended to read as follows:

Percentage of Excess Rank	Contribution Rate Table 2
1	~~.6~~ .2
2	~~.7~~ .6
3	~~.8~~ .7
4	~~1.0~~ .8
5	~~1.2~~ .9

Page 7

6	~~1.4~~	1.2
7	~~1.6~~	1.5
8	~~1.8~~	1.7
9	~~2.0~~	2.1
10	~~2.3~~	2.4
11	~~2.6~~	2.9
12	~~2.9~~	3.4
13	~~3.3~~	4.0
14	~~3.7~~	4.6
15	~~4.1~~	5.0
16	~~4.5~~	5.5
17	~~5.0~~	6.3
18	~~5.5~~	6.7
19	~~6.0~~	6.8
20	~~6.0~~	7.0
21	~~6.0~~	7.0

Sec. 15. TEMPORARY SECTION. SPECIAL CONTRIBUTION RATES.

1. An employer which meets the zero contribution rate requirements for calendar year 1983 of section 96.7, subsection 3, paragraph d, unnumbered paragraph 6 relating to percentage of excess and a record of no benefit charges, shall be assigned the zero contribution rate for calendar year 1983 even though contribution rate table 2, as amended by section 14 of this Act, is effective for calendar year 1983, notwithstanding the requirement of unnumbered paragraph 6 which limits the zero contribution rate to calendar years in which a rate table in rate tables three through nine is effective. If an employer assigned a zero contribution rate for calendar year 1983 is required to contribute for the next calendar year, the employer's rate for that next calendar year is either the employer's experience rate or one and eight-tenths percent, whichever is less.

2. If additional contributions are due for the first calendar quarter of 1983 under section 14 of this Act, an employer shall pay the additional contributions no later than the time regular contributions are due for the fourth calendar quarter of 1983. If additional contributions are due for the second calendar quarter of 1983 under section 14 of this Act, an employer shall pay the additional contributions no later than the time regular contributions are due for the third calendar quarter of 1983. Additional contributions due for the third and fourth calendar quarters of 1983 shall be paid no later than the times regular contributions are due for those calendar quarters. However, an employer may pay the additional contributions in advance.

Page 8

Sec. 16. Section 96.7, subsection 3, paragraph d, in the proviso following the contribution rate tables in unnumbered paragraph 4, Code 1983, is amended to read as follows: ~~Provided, however, that notwithstanding~~ Notwithstanding any other provision of this chapter relating to limiting contribution rates to those specified in the contribution rate table, ~~any~~ an employer which employs individuals for construction as defined by the department pursuant to rules, that has not qualified for an experience rating shall pay ~~four point zero percent in the calendar year 1968 through the calendar year 1977 and be assigned to the rate specified in the twenty-first percentage of excess rank for the rate year beginning January 1, 1978 and every year thereafter~~ the maximum contribution rate assigned to any employer under this chapter, including the additional contributions required under this lettered paragraph of an employer with a negative balance in the employer's account, until such time as the employer has qualified for an experience rating. However, ~~such~~ the employer shall not qualify for an experience rating until there ~~shall~~ have been twelve consecutive calendar quarters immediately preceding the rate computation date throughout which ~~his~~ the employer's account has been chargeable with benefit payments.

Sec. 17. Section 96.7, subsection 3, paragraph d, unnumbered paragraph 6, Code 1983, is amended to read as follows:

~~However, notwithstanding any other provision of this chapter relating to the applicable contribution rate table for a calendar year, the applicable contribution rate table for the calendar years 1982 and 1983 is table three unless the ratio of the current reserve fund ratio to the highest benefit cost rate on the rate computation date is 1.0 or higher.~~ During any rate year in which a rate table in rate tables three through nine is effective an employer assigned a contribution rate under this lettered paragraph is not required to contribute to the unemployment compensation trust fund if the employer's percentage of excess is seven point five percent or greater for the rate year and the employer has not been charged with benefit payments for any time within the twenty-four calendar quarters immediately preceding the rate computation date for the rate year. If an employer is not required to contribute for a rate year to the trust fund under this unnumbered paragraph but would be required to contribute for the next rate year under this lettered paragraph, the employer's contribution

Page 9

rate for the next rate year is either the employer's experience rate computed under this lettered paragraph or one and eight-tenths percent, whichever is less. For subsequent years, either the employer is not required to contribute under this unnumbered paragraph or the employer's contribution rate is the employer's experience rate computed under this lettered paragraph.

During any rate year in which rate table one or two is effective an employer assigned a contribution rate under this lettered paragraph shall be required to contribute to the unemployment compensation trust fund at five-tenths of one percent, if the employer's percentage of excess is seven point five percent or greater for the rate year and the employer has not been charged with benefit payments for any time within the twenty-four calendar quarters immediately preceding the rate computation date for the rate year. If an employer is qualified for the five-tenths of one percent limitation on the employer's contribution rate for a rate year under this unnumbered paragraph but would be required to contribute for the next rate year under this lettered paragraph, the employer's contribution rate for the next rate year is either the employer's experience rate computed under this lettered paragraph or one and eight-tenths percent, whichever is less. For subsequent years, either the employer is qualified for the five-tenths of one percent limitation under this unnumbered paragraph or the employer's contribution rate is the employer's experience rate computed under this lettered paragraph.

Sec. 18. Section 96.7, subsection 3, paragraph d, unnumbered paragraph 7, Code 1983, is amended to read as follows:

Notwithstanding any other provision of this chapter relating to limiting contribution rates to those specified in the contribution rate table, if an employer qualified for an experience rating has a negative balance in the employer's account on the rate computation date and had a negative balance on the previous rate computation date, the employer shall contribute an additional ~~one-half~~ one percent of taxable wages above the contribution rate assigned the employer by the effective rate contribution table. For each subsequent and consecutive rate computation date on which the employer still has a negative balance in the employer's account, the employer shall contribute an additional ~~one-half~~ one percent of taxable wages. Beginning with the initial surcharge of ~~one-half~~ one percent each subsequent and consecutive surcharge of ~~one-half~~ one percent of taxable wages

Page 10

shall be cumulative, except that the cumulative surcharge shall not exceed ~~three~~ an amount sufficient to make the employer's combined contribution rate equal to nine percent of taxable wages.

Sec. 19. Section 96.7, subsection 3, paragraph e, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If an employer's account is charged with benefits in a calendar quarter prior to the rate computation date as the result of a decision allowing benefits and the decision is reversed after the rate computation date, the employer may appeal, within thirty days from the date of the contribution rate notice, for a recomputation of the rate. The department shall remove the benefit charges from the rate computation, recompute the contribution rate, and notify the employer of the recomputed contribution rate.

Sec. 20. Section 96.7, subsection 15, unnumbered paragraph 1, Code 1983, is amended to read as follows:

If on the first day of the third month in any calendar quarter ~~in 1983~~, the department has an outstanding balance of interest accrued on advance moneys received from the federal government for the payment of unemployment compensation benefits, or is projected to have an outstanding balance of accruing federal interest for that calendar quarter, the director shall collect a uniform temporary emergency ~~tax~~ surcharge for that calendar quarter ~~in 1983~~, retroactive to the beginning of that calendar quarter. The ~~tax~~ surcharge shall be a percentage of employer contribution rates and shall be set at ~~the rate~~ a uniform percentage, for all employers subject to the surcharge, necessary to pay the interest accrued on the moneys advanced to the department by the federal government, and to pay any additional federal interest which will accrue for the remainder of that calendar quarter. ~~However, the tax shall not be greater than one-tenth of one percent of taxable wages for that calendar quarter.~~ The ~~tax~~ surcharge shall apply to all employers except government entities, nonprofit organizations, and employers assigned a zero contribution rate ~~for calendar year 1983~~. The director shall prescribe the manner in which the ~~tax~~ surcharge will be collected. Interest shall accrue on all unpaid ~~tax~~ surcharges under this subsection at the same rate as on regular contributions and shall be collectible in the same manner. The ~~tax~~ surcharge shall not affect the computation of regular contributions under this chapter.

Page 11

Sec. 21. Section 96.11, subsection 4, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The director shall provide for the employment of such personnel as are necessary to carry out the functions of the department. Personnel shall be employed under the provisions of chapter 19A. The director, a deputy director, a confidential secretary, the members of the appeal board, an administrative officer under the appeal board, and a secretary for each member if deemed necessary, shall be exempt from the merit system under the provisions of section 19A.3. If necessary to carry out its duties under this chapter, the appeal board shall employ an administrative officer whose qualifications and job responsibilities are determined by the appeal board.

Sec. 22. Section 96.19, subsection 6, paragraph g, subparagraph (6), unnumbered paragraph 2, Code 1983, is amended to read as follows:

Service performed by an individual ~~under the age of twenty-two years~~ who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if ~~such~~ the service is an integral part of ~~such~~ the program and ~~such~~ the institution has so certified to the employer, except that this subparagraph ~~shall~~ does not apply to service performed in a program established for or on behalf of an employer or group of employers.

Sec. 23. Section 96.19, subsection 6, paragraph g, Code 1983, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (7) Services performed by an individual, who is not treated as an employee, for a person who is not treated as an employer, under either of the following conditions:

(a) The services are performed by the individual as a salesperson and as a licensed real estate agent; substantially all of the remuneration for the services is directly related to sales or other output rather than to the number of hours worked; and the services are performed pursuant to a written contract between the individual and the person for whom the services are performed, which provides that the individual will not be treated as an employee with respect to the services for federal tax purposes.

Page 12

(b) The services are performed by an individual engaged in the trade or business of selling or soliciting the sale of consumer products to any buyer on a buy-sell basis or a deposit-commission basis, for resale by the buyer or another person in the home or in a place other than a permanent retail establishment, or engaged in the trade or business of selling or soliciting the sale of consumer products in the home or in a place other than a permanent retail establishment; substantially all of the remuneration for the services is directly related to sales or other output rather than to the number of hours worked; and the services are performed pursuant to a written contract between the individual and the person for whom the services are performed, which provides that the individual will not be treated as an employee with respect to the services for federal tax purposes.

Sec. 24. Section 96.19, subsection 20, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, the amount of taxable wages otherwise determined under this subsection shall be increased by six hundred dollars for calendar year 1984, by eleven hundred dollars for calendar year 1985, and by sixteen hundred dollars for calendar year 1986 and subsequent calendar years.

Sec. 25. Section 96.23, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

96.23 BASE PERIOD EXCLUSION. The department shall exclude three or more calendar quarters from an individual's base period, as defined in section 96.19, subsection 16, if the individual received weekly workers' compensation benefits for temporary total disability or during a healing period under section 85.33, section 85.34, subsection 1, or section 85A.17 or weekly indemnity insurance benefits during those three or more calendar quarters, if one of the following conditions applies to the individual's base period:

1. The individual did not receive wages from insured work for three calendar quarters.

2. The individual did not receive wages from insured work for two calendar quarters and did not receive wages from insured work for another calendar quarter equal to or greater than the amount required for a calendar quarter, other than the calendar quarter in which the individual's wages were highest, under section 96.4, subsection 4.

Page 13

The department shall substitute, in lieu of the three or more calendar quarters excluded from the base period, those three or more consecutive calendar quarters, immediately preceding the base period, in which the individual did not receive such weekly workers' compensation benefits or weekly indemnity insurance benefits.

Sec. 26. PROSPECTIVE REPEAL. Sections 8 and 24 of this Act are prospectively repealed on January 1 of the first calendar year after December 31, 1985 for which a contribution rate table other than contribution rate table one is effective. Section 8 is repealed for benefit claims effectively filed for and after the first full week in that first calendar year. Section 24 is repealed for taxable wages for that first calendar year and subsequent calendar years.

Sec. 27. This Act, being deemed of immediate importance, takes effect from and after its publication in The Sioux City Journal, a newspaper published in Sioux City, Iowa, and in the Waterloo Courier, a newspaper published in Waterloo, Iowa, and is retroactive to January 1, 1983. However, the sections of the Act take effect as follows:

1. Sections 14, 15, the portion of section 17 which relates to the applicable contribution rate table for calendar year 1983, and section 20 of this Act take effect January 1, 1983.

2. Sections 4, 11, 12, and 19 of this Act take effect from and after the Act's publication, and apply to all new or pending benefit claims.

3. Sections 7, 21, and 22 of this Act take effect July 1, 1983.

4. Sections 1, 2, 3, 5, 6, 9, 10, and 25 of this Act take effect only for unemployment compensation benefit claims effectively filed on or after July 3, 1983.

5. Sections 13, 16, the portion of section 17 which relates to the five-tenths of one percent limitation, and sections 18 and 24 of this Act take effect July 1, 1983, and apply to calendar year 1984 and subsequent calendar years. Contribution rate table 1, as amended by section 13 of this Act, shall be used to compute the additional contributions of one percent per year, applicable to negative-balance employers for calendar year 1984 and subsequent calendar years, required under section 18 of this Act. If a negative-balance employer received a one-half of one percent surcharge under section 96.7, subsection 3, paragraph d, unnumbered paragraph 7,

Page 14

applicable to calendar years before calendar year 1984, the employer's contribution rate for calendar year 1984 and subsequent calendar years shall be computed using contribution rate table 1, as amended by section 13 of this Act, the cumulative one-half of one percent surcharges and the one percent surcharges applicable to calender year 1984 and subsequent calendar years under section 18 of this Act.

6. Section 23 of this Act takes effect January 1, 1984.

7. Section 8 of this Act takes effect only for initial unemployment compensation benefit claims effectively filed on or after January 6, 1985."

2. Title page, line 3, by inserting after the word "law," the words "to certain employer account charges, to certain benefit disqualification and reduction procedures, to certain administrative procedures,".

Norland of Worth asked and received unanimous consent that House File 637 be deferred and that the bill retain its place on the calendar.

(Senate amendment H—4223 pending.)

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 14, 1983, 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 562, a bill for an act relating to funds available to school districts.

Also: That the Senate has, on May 13, 1983, adopted the conference committee report and passed Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects.

K. MARIE THAYER, Secretary

HOUSE INSISTS

Groth of Buena Vista called up for consideration **House File 562,** a bill for an act relating to funds available to school districts, and moved that the House insist on its amendment.

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

On the question "Shall the House insist on its amendment?"

The ayes were, 56:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Krewson	Lloyd-Jones
Lonergan	McKean	Miller	Norland
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 35:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Hermann	Hoffmann-Bright	Hummel
Koenigs	Lageschulte	Maulsby	Menke
Muhlbauer	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Van Camp
Van Gerpen	Van Maanen	Welden	

Absent or not voting, 9:

Baxter	Harbor	McIntee	Mullins
O'Kane	Pavich	Skow	Tofte
Torrence			

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED
(House File 562)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 562: Groth of Buena Vista, Chair; Connolly of Dubuque, Ollie of Clinton, Daggett of Taylor and Krewson 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 members of the conference committee to House File 562, a bill for an act relating to funds available to school districts, on the part of the Senate, appointed May 14, 1983, are: The Senator from Poweshiek, Senator Brown, Chair; the Senator from Woodbury, Senator Colton; the Senator from Floyd, Senator Gratias; the Senator from Linn, Senator Horn; and the Senator from Hardin, Senator Taylor.

K. MARIE THAYER, Secretary

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 637,** a bill for an act relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, and to changes in Iowa's unemployment law to conform with federal law, and the Senate amendment H—4223, previously deferred.

The House stood at ease at 2:38 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 637 at 2:58 p.m., Speaker Avenson in the chair.

Halvorson of Clayton offered the following amendment H—4246, to the Senate amendment H—4223, filed from the floor by him and Corey of Louisa and moved its adoption:

H—4246

Amend the Senate amendment, H—4223, to House File 637 as amended and passed by the House, as follows:

1. Page 3, line 1, by inserting after the figure "4," the words and figure "unnumbered paragraph 1,".
2. Page 3, line 3, by striking the figure "4."
3. Page 3, by striking lines 29 through 34.

A non-record roll call was requested.

The ayes were 34, nays 53.

Amendment H—4246 lost.

Halvorson of Clayton offered the following amendment H—4247, to the Senate amendment H—4223, filed from the floor by him and Corey of Louisa and moved its adoption:

H—4247

Amend Senate amendment H—4223 to House File 637, as amended and passed by the House, as follows:

1. Page 3, line 5, by striking the word "one-quarter" and inserting in lieu thereof the words "~~one-quarter~~ one-third".

Roll call was requested by Halvorson of Clayton and Hummel of Benton.

On the question "Shall amendment H—4247 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 57:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 6:

Baxter	Groninga	Mullins	Pavich
Tofte	Torrence		

Amendment H—4247 lost.

Halvorson of Clayton offered the following amendment H—4245, to the Senate amendment H—4223, filed from the floor by him and Corey of Louisa and moved its adoption:

H—4245

Amend the Senate amendment, H—4223, to House File 637, as amended and passed by the House, as follows:

1. Page 12, by striking lines 19 through 27.

2. Page 13, lines 8 and 9, by striking the words and figures "Sections 8 and 24 of this Act are" and inserting in lieu thereof the words and figure "Section 8 of this Act is".

3. Page 13, by striking lines 15 through 17 and inserting in lieu thereof the words "calendar year."

4. Page 13, line 40, by striking the words and figures "sections 18 and 24" and inserting in lieu thereof the word and figure "section 18".

Roll call was requested by Hermann of Scott and Halvorson of Clayton.

On the question "Shall amendment H—4245 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Krewson	Lageschulte	Maulsby
McIntee	McKean	Menke	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 57:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer

Fey	Fogarty	Gronstal	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	Lonergan
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 6:

Baxter	Groninga	Mullins	Pavich
Tofte	Torrence		

Amendment H—4245 lost.

Halvorson of Clayton offered the following amendment H—4249, to the Senate amendment H—4223, filed from the floor by him and Corey of Louisa and moved its adoption:

H—4249

Amend the Senate amendment, H—4223, to House File 637 as amended and passed by the House, as follows:

1. Page 13, lines 8 and 9, by striking the words and figures "Sections 8 and 24 of this Act are" and inserting in lieu thereof the words and figure "Section 24 of this Act is".

2. Page 13, by striking lines 12 through 15 and inserting in lieu thereof the words and figure "contribution rate table one is effective. Section 24 is repealed for taxable".

3. Page 14, line 13, by striking the word and figures "January 6, 1985" and inserting in lieu thereof the words and figures "July 3, 1983".

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall amendment H—4249 be adopted?"

The ayes were, 36:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot

Diemer	Grandia	Halvorson, R. A.	Handorf
Harbor	Hermann	Hoffmann-Bright	Hummel
Jay	Lageschulte	Maulsby	McIntee
McKean	Menke	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Schroeder	Stromer	Stueland	Swearingen
Van Camp	Van Gerpen	Van Maanen	Welden

The nays were, 55:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Fey
Fogarty	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Hanson	Haverland
Holveck	Hughes	Jochum	Knapp
Koenigs	Krewson	Lonergan	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Zimmerman	Mr. Speaker	

Absent or not voting, 9:

Baxter	Doderer	Groninga	Lloyd-Jones
Mullins	Pavich	Tofte	Torrence
Woods			

Amendment H—4249 lost.

Stromer of Hancock offered the following amendment H—4248, to the Senate amendment H—4223, filed by him from the floor and moved its adoption:

H—4248

Amend the Senate amendment, H—4223, to House File 637 as amended and passed by the House, as follows:

1. Page 14, line 13, by striking the word and figures "January 6, 1985" and inserting in lieu thereof the word and figures "July 1, 1984".

Roll call was requested by Poncy of Wapello and Norland of Worth.

On the question "Shall amendment H—4248 be adopted?"

The ayes were, 37:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Harbor	Hermann	Hoffmann-Bright	Hummel
Jay	Knapp	Lageschulte	Maulsby
McIntee	McKean	Menke	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Schroeder	Stromer	Stueland
Swearingen	Van Camp	Van Gerpen	Van Maanen
Welden			

The nays were, 54:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Fey
Fogarty	Gronstal	Groth	Gruhn
Halvorson, R. N.	Hammond	Hanson	Haverland
Holveck	Hughes	Jochum	Koenigs
Krewson	Lonergan	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Peick	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Varn
Zimmerman	Mr. Speaker		

Absent or not voting, 9:

Baxter	Doderer	Groninga	Lloyd-Jones
Mullins	Pavich	Tofte	Torrence
Woods			

Amendment H—4248 lost.

Krewson of Polk offered the following amendment H—4250, to the Senate amendment H—4223, filed by him from the floor and moved its adoption:

H—4250

Amend the Senate amendment, H—4223, to House File 637, as amended and passed by the House, as follows:

1. Page 3, line 1, by inserting after the figure "4," the words and figure "unnumbered paragraph 1,".

2. Page 3, line 3, by striking the figure "4."

3. Page 3, by striking lines 29 through 34.

4. Page 4, by striking lines 7 through 17.

5. Page 13, lines 8 and 9, by striking the words and figures "Sections 8 and 24 of this Act are" and inserting in lieu thereof the words and figure "Section 24 of this Act is".

6. Page 13, by striking lines 12 through 15 and inserting in lieu thereof the words and figure "contribution rate table one is effective. Section 24 is repealed for taxable".

7. Page 14, by striking lines 11 through 13.

Roll call was requested by Sturgeon of Woodbury and Chiodo of Polk.

Rule 76 was invoked.

On the question "Shall amendment H—4250 be adopted?"

The ayes were, 25:

Anderson	Bennett	Brammer	Clark
Corey	Grandia	Hanson	Hermann
Hoffmann-Bright	Hummel	Krewson	McKean
Menke	Paulin	Pellett	Rensink
Running	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Van Camp	Van Gerpen
Welden			

The nays were, 67:

Arnould	Black	Blanshan	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Gronstal	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Harbor	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Lageschulte	Lonergan	Maulsby
McIntee	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Peick	Poncy	Renaud
Renken	Rosenberg	Royer	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Van Maanen
Varn	Zimmerman	Mr. Speaker	

Absent or not voting, 8:

Baxter	Branstad	Lloyd-Jones	Mullins
Pavich	Tofte	Torrence	Woods

Amendment H—4250 lost.

Ollie of Clinton in the chair at 3:47 p.m.

Speaker Avenson in the chair at 4:00 p.m.

Sturgeon of Woodbury moved that the House concur in the Senate amendment H—4223.

Roll call was requested by Sturgeon of Woodbury and Chiodo of Polk.

On the question "Shall the House concur in the Senate amendment H—4223?"

The ayes were, 60:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	Lonergan	McKean	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peick
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 35:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hoffmann-Bright
Hummel	Lageschulte	Maulsby	McIntee
Menke	Paulin	Pellett	Renken
Rensink	Royer	Schnekloth	Schroeder
Stromer	Stueland	Swearingen	Van Camp
Van Gerpen	Van Maanen	Welden	

Absent or not voting, 5:

Baxter	Mullins	Pavich	Tofte
Torrence			

The motion prevailed and the House concurred in the Senate amendment H—4223.

Sturgeon of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 637)

The ayes were, 61:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. N.	Hammond
Hanson	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Krewson	Lloyd-Jones	Lonergan	McKean
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 34:

Anderson	Bennett	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Harbor	Hermann	Hoffmann-Bright	Hummel
Lageschulte	Maulsby	McIntee	Menke
Paulin	Pellett	Renken	Rensink
Royer	Schnekloth	Schroeder	Stromer
Stueland	Swearingen	Van Camp	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 5:

Baxter	Mullins	Pavich	Tofte
Torrence			

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 (Senate File 551)

Blanshan of Greene called up for consideration the report of the conference committee on Senate File 551 as follows:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 551

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 551, a bill for an act relating to and making appropriations to state agencies for capital projects, respectfully make the following report:

1. That the House recedes from its amendment, S–3925, to Senate File 551 as amended, passed, and reprinted by the Senate.

2. That Senate File 551 as amended, passed, and reprinted by the Senate be amended as follows:

1. Page 1, line 13, by inserting after the figure "377," the words "to the energy policy council,".

2. Page 2, by inserting after line 18 the following section:

"Sec. . It is the intent of the general assembly that if the funds are available in the 1984-1985 fiscal year, up to one hundred twenty-five thousand (125,000) dollars may be appropriated to the state board of regents for the planning phase of the home economics building at Iowa state university of science and technology."

3. Page 2, line 23, by striking the figure "2" and inserting in lieu thereof the figure "3".

4. Page 3, by inserting after line 7 the following section:

"Sec. . If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the unencumbered funds appropriated by this division are included in the estimated budget resources. Upon inclusion of the unencumbered funds appropriated in this division in the estimated budget resources, the capital projects shall be terminated if the termination will not result in increased future expenditures for

the project being terminated, and any funds not encumbered for the capital projects shall remain in the general fund of the state and shall not be expended for the capital projects.

If upon inclusion of the funds appropriated by this division in the estimated budget resources for the fiscal year beginning July 1, 1983 and ending June 30, 1984 as authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31."

5. Page 3, by striking lines 13 through 21 and inserting in lieu thereof the following: "ending June 30, 1984, the sum of eight hundred fifty-two thousand (852,000) dollars, or so much thereof as necessary for capital improvements at the Iowa state penitentiary to bring the penitentiary into compliance with the federal court order which requires such improvements, for construction at the Luster Heights work camp, for construction of an Iowa state industries' laundry facility at the medium security correctional facility at Mt. Pleasant and to renovate a bathroom for use of the handicapped at the Iowa correctional institution for women, however, it is a condition of this appropriation that if funds for each project are not allocated the total sum appropriated shall revert to the general fund of the state.

It is the intent of the general assembly that additional beds at Luster Heights are to be used to reduce the inmate population by an equivalent number at Anamosa. The department shall utilize inmate labor where feasible on the construction projects at the Luster Heights work camp and at the medium security correctional facility at Mt. Pleasant.

2. The funds allocated by this section for use at the".

6. Page 4, by striking lines 7 through 21.

7. Page 5, line 4, by striking the figures and word "5 and 6" and inserting in lieu thereof the figures and word "6 and 7".

8. Page 5, line 33, by striking the figure "750,000" and inserting in lieu thereof the figure "500,000".

9. Page 6, by inserting after line 19 the following:

"i. For moving of the
auditor of state's staff and
furnishings $125,000

j. For moving of the
treasurer of state's staff and
furnishings ..... $125,000".

10. Page 7, line 22, by striking the figure "9" and inserting in lieu thereof the figure "10".

11. Page 8, line 19, by striking the figure "12" and inserting in lieu thereof the figure "13".

12. Page 8, line 22, by striking the figure "12" and inserting in lieu thereof the figure "13".

13. Page 8, line 32, by striking the words and figure "one million (1,000,000)" and inserting in lieu thereof the words and figure "two hundred fifty thousand (250,000)".

14. Page 9, by inserting after line 17 the following sections:

"Sec. . There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the Iowa lottery agency, the sum of two million (2,000,000) dollars, or so much thereof as may be necessary, to be used to initiate a state lottery. Notwithstanding section 8.31 the Iowa lottery agency may draw funds as required to initiate the lottery within the limits of the appropriation until the lottery generates sufficient revenue to become self-supporting. The Iowa lottery agency shall reimburse the general fund for the total amount of funds received under this section within sixty days of the date funds are no longer necessary to initiate the lottery or within sixty days of June 30, 1984, whichever is sooner.

Sec. . There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the state racing commission, the sum of three hundred thousand (300,000) dollars, or so much thereof as necessary, for salaries, support, maintenance, and operational purposes of the commission."

15. Page 9, by inserting after line 29 the following section:

"Sec. . There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1983 and ending June 30, 1984 the following amount, or so much thereof as necessary, to be used for the purposes designated:

	1983-1984 Fiscal Year
For a hard surface parking lot at highway patrol post 11 in Cedar Rapids	$ 25,000".

16. Amend the title, by striking line 2 and inserting in lieu thereof the words "relating to and for capital projects and certain nonrecurring expenses."

17. By renumbering as necessary.

ON THE PART OF THE HOUSE:
THOMAS J. JOCHUM, Chair
ROBERT C. ARNOULD
GENE BLANSHAN
BETTY HOFFMANN-BRIGHT

ON THE PART OF THE SENATE:
ARTHUR A. SMALL, Chair
WALLY HORN
ROBERT CARR
JACK NYSTROM
LEE HOLT

Connors of Polk in the chair at 4:37 p.m.

Speaker Avenson in the chair at 5:03 p.m.

Blanshan of Greene moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested.

The ayes were 56, nays 29.

The motion prevailed and the report was adopted.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 551)

The ayes were, 73:

Arnould	Black	Blanshan	Brammer
Buhr	Carl	Carter	Chapman
Chiodo	Connolly	Connors	Cooper
Copenhaver	Corey	Davitt	Diemer
Doderer	Fey	Fogarty	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Haverland	Hermann	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Van Camp
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 22:

Anderson	Bennett	Branstad	Carpenter
Clark	Cochran	Daggett	De Groot
Grandia	Handorf	Hoffmann-Bright	Holveck
Krewson	Maulsby	McKean	Menke

Oxley	Renken	Rensink	Stueland
Van Maanen	Welden		

Absent or not voting, 5:

Baxter	Mullins	Pavich	Tofte
Torrence			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILES 104 AND 608 WITHDRAWN

O'Kane of Woodbury asked and received unanimous consent to withdraw House Files 104 and 608 from further consideration by the House.

HOUSE FILES 106 AND 269 WITHDRAWN

Cochran of Webster asked and received unanimous consent to withdraw House Files 106 and 269 from further consideration by the House.

HOUSE FILE 71 WITHDRAWN

Chapman of Linn asked and received unanimous consent to withdraw House File 71 from further consideration by the House.

HOUSE FILE 289 WITHDRAWN

Lageschulte of Bremer asked and received unanimous consent to withdraw House File 289 from further consideration by the House.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE
(House File 562)

Groth of Buena Vista called up for consideration the report of the conference committee on House File 562 as follows:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 562

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the difference between the Senate and the House of Representatives on House File 562, a bill for an act relating to funds available to school districts, respectfully make the following report:

1. That the House of Representatives recedes from its amendment, S–3873, to the Senate amendment to House File 562, as amended, passed, and reprinted by the House.

2. That the Senate amendment, H–4014, to House File 562, as amended, passed, and reprinted by the House, is amended as follows:

1. Page 11, line 45, by inserting after the word "six" the words "and two-tenths".

2. Page 12, by inserting after line 19 the following section:

"Sec. . Section 442.8, unnumbered paragraph 2, Code 1983, is amended to read as follows:

However, for the budget years beginning July 1, 1980, July 1, 1982, ~~and~~ July 1, 1983, and July 1, 1984, the state cost per pupil shall equal the base year's state cost per pupil plus the allowable growth for the budget year plus an adjustment to the state cost per pupil. For the budget years beginning July 1, 1980, July 1, 1982, ~~and~~ July 1, 1983, and July 1, 1984, the adjustment to the state cost per pupil is twenty dollars per pupil, thirteen dollars per pupil, ~~and~~ eight dollars per pupil, and eight dollars per pupil, respectively."

3. Page 19, by inserting after line 20 the following:

"Sec. . Notwithstanding section 442.7, subsection 7, paragraph a, if the state cost per pupil for the budget year beginning July 1, 1984 exceeds the district cost per pupil for the budget year beginning July 1, 1984, the basic allowable growth per pupil for the budget year shall equal one hundred percent of the product of the state cost per pupil for the base year times the state percent of growth for the budget year."

4. Page 19, line 24, by inserting after the figure "1983." the following: "Sections 1, 2, 3, 9 through 33, and 47 through 59 take effect July 1, 1984.

5. By numbering and renumbering sections and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

RICHARD GROTH, Chair
MIKE CONNOLLY
C. ARTHUR OLLIE

ON THE PART OF THE SENATE

JOE BROWN, Chair
MILO COLTON
ARTHUR L. GRATIAS
WALLY E. HORN
RAY TAYLOR

Menke of O'Brien in the chair at 5:16 p.m.

Groth of Buena Vista moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested.

The ayes were 61, nays 26.

The motion prevailed and the report was adopted.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 562)

The ayes were, 81:

Anderson	Arnould	Avenson	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Daggett	Davitt	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Hermann	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Pellett	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Skow
Spear	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Van Camp
Van Gerpen	Varn	Woods	Zimmerman
Mr. Speaker (Menke)			

The nays were, 14:

Bennett	Branstad	Carpenter	Corey
Grandia	Handorf	Hoffmann-Bright	Maulsby
Paulin	Renken	Schroeder	Stromer
Van Maanen	Welden		

Absent or not voting, 5:

Baxter Mullins Pavich Tofte Torrence

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 562)

Norland of Worth asked and received unanimous consent to immediately message House File 562 to the Senate.

The House stood at ease at 5:34 p.m., until the fall of the gavel.

The House resumed session at 5:46 p.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy members present, thirty absent.

SENATE AMENDMENT CONSIDERED

Chiodo of Polk called up for consideration **House File 634,** a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty, and providing that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund, amended by the Senate amendment H–4234 as follows:

H–4234

Amend House File 634 as amended, passed and reprinted by the House, as follows:

1. Page 1, line 1, by striking the figure "20" and inserting in lieu thereof the figure "21".

2. Page 4, line 7, by striking the word "director" and inserting in lieu thereof the word "commissioner".

3. Page 4, line 9, by striking the words "commission and the director" and inserting in lieu thereof the words "board and the commissioner".

4. Page 6, by striking lines 28 through 32, and inserting in lieu thereof the following: "material to be permitted. The form and type of material permitted by the Iowa lottery agency shall be constructed and distributed in a manner which is primarily educational and informational in nature. The rules promulgated under this paragraph shall be designed to protect the welfare of the people and the dignity of the state. Educational and promotional material shall not be designed or distributed in a manner which attempts to entice economically disadvantaged persons to participate in a lottery game."

5. Page 7, line 18, by striking the word "advertising" and inserting in lieu thereof the words "educational and informational material".

6. Page 7, by striking lines 29 through 32 and inserting in lieu thereof the following: "determined. Lottery agency expenses for educational and informational material shall not exceed four percent of the lottery revenue. Revenue".

7. Page 8, by striking lines 10 through 26.

8. Page 10, line 18, by striking the words "promotion, and advertising" and inserting in lieu thereof the words "education, and information".

9. Page 13, lines 15 and 16, by striking the words "until one year from the date of license revocation".

10. Page 13, line 33, by striking the words "licensed agent" and inserting in lieu thereof the words "licensee's employee".

11. Title page, by striking lines 9 and 10 and inserting in lieu thereof the following: "the general fund."

12. By renumbering and correcting internal references as necessary.

Norland of Worth asked and received unanimous consent that House File 634 be deferred and that the bill retain its place on the calendar.

UNANIMOUS CONSENT TO VOTE

Van Maanen of Mahaska asked and received unanimous consent to change his vote from "aye" to "nay" on House File 562 and the vote was so recorded.

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 359

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 359, a bill for an act relating to the duties and liabilities of persons with respect to public places located within cities respectfully make the following report:

1. The members of the conference committee are unable to reach agreement.

ON THE PART OF THE HOUSE:

JAMES O'KANE, Chair
FLORENCE BUHR
JOHN CONNORS
GEORGE SWEARINGEN

ON THE PART OF THE SENATE:

JAMES GALLAGHER, Chair
JAMES BRILES
EDGAR HOLDEN
BERL PRIEBE
JAMES WELLS

SECOND CONFERENCE COMMITTEE APPOINTED
(House File 359)

The Speaker announced the appointment of the second conference committee to consider the differences between the House and Senate concerning House File 359: O'Kane of Woodbury, Chair; Buhr of Polk, Peick of Linn, Grandia of Marion and Renken of Grundy.

HOUSE FILE 159 WITHDRAWN

Rensink of Sioux asked and received unanimous consent to withdraw House File 159 from further consideration by the House.

HOUSE FILE 181 WITHDRAWN

Schroeder of Pottawattamie asked and received unanimous consent to withdraw House File 181 from further consideration by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 14, 1983, adopted the second conference committee report and passed Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax.

Also: That the Senate has on May 14, 1983, 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 461, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation.

Also: That the Senate has on May 14, 1983, adopted the conference committee report and passed Senate File 543, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and which terminates the two percent discount rate for the sale of cigarette stamps.

Also: That the Senate has on May 13, 1983, 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 544, a bill for an act relating to fees charged to grain dealers and grain warehouse operators by the commerce commission under chapters 542 and 543.

Also: That the Senate has on May 13, 1983, adopted the conference committee report and passed Senate File 548, a bill for an act for the purpose of improving the Iowa economy and providing improved employment for unemployed Iowans.

K. MARIE THAYER, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien, until his return, on request of Speaker Avenson.

ADOPTION OF THE REPORT OF THE SECOND CONFERENCE COMMITTEE (Senate File 386)

Doderer of Johnson called up for consideration the report of the second conference committee on Senate File 386 as follows and moved the adoption of the report and the amendments contained therein:

REPORT OF THE SECOND CONFERENCE COMMITTEE
ON SENATE FILE 386

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the second conference committee appointed to resolve the differences between the Senate and the House of Representatives on

Senate File 386, a bill for an act relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, reducing the rate of tax on the first thousand dollars of taxable income for individual taxpayers, limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, increasing medical and drug deductions, increasing the exclusion for unemployment compensation, providing an individual income tax credit for expenditures for a solar domestic hot water system for use in a principal residence, and making the Act retroactive, respectfully make the following report:

1. That the House recede from its amendment, S–3271, to Senate File 386, as amended, passed, and reprinted by the Senate.

2. That Senate File 386, as amended, passed, and reprinted by the Senate, be amended as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 422.4, subsection 17, Code 1983, is amended to read as follows:

17. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January ~~1, 1982~~ 14, 1983.

Sec. 2. Section 422.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 19. For purposes of section 422.4, subsection 17, the Internal Revenue Code of 1954 shall be interpreted to include the provisions of Pub. L. No. 98-4.

Sec. 3. Section 422.5, unnumbered paragraph 10, Code 1983, is amended to read as follows:

In addition to all taxes imposed under this division, there is imposed upon every resident and nonresident, including resident and nonresident estates and trusts, of this state a state minimum tax for tax preference items equal to ~~twenty-five~~ seventy percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is one hundred percent in the case of a resident and in the case of a nonresident a percent equal to the ratio of the federal minimum tax on preferences attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preference items attributable to Iowa which shall be based as much as equitably possible on the allocation provisions of section 422.8, subsections 2 and 3. For purposes of this paragraph, "federal minimum tax" means the federal minimum tax for tax preferences computed under sections 55 to 58 of the Internal Revenue Code of 1954 for the tax year.

Sec. 4. Section 422.6, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The tax imposed by section 422.5 and credit for increasing research activities granted under section 422.10 shall apply to and become a charge against estates and trusts with respect to their taxable income, and the rates shall be the same as those applicable to individuals. The fiduciary shall be responsible for making the return of income for the estate or trust for which ~~he~~ the fiduciary acts, whether ~~such~~ the income ~~be~~ is taxable to the estate or trust or to the beneficiaries thereon.

Sec. 5. Section 422.7, subsection 16, Code 1983, is amended to read as follows:

16. Add the amounts deducted and subtract the amounts included as income as a result of the treatment provided sale-leaseback agreements under section 168(f)(8) of the Internal Revenue Code of 1954 to the extent that the amounts deducted and the amounts included in income are not otherwise deductible or included in income under ~~the provisions of~~ the Internal Revenue Code of 1954. Entitlement to depreciation on any property included in a sale-leaseback agreement shall be determined under the Internal Revenue Code of 1954, excluding section 168(f)(8) in making the determination.

Sec. 6. Section 422.7, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 17. Subtract the amount of unemployment compensation to be included in Iowa net income for any tax year. Add back the amount of unemployment compensation computed under section 85 of the Internal Revenue Code of 1954, as amended up to and including December 31, 1981. This subsection is effective only for the tax year beginning on or after January 1, 1982 and before December 31, 1982.

Sec. 7. Section 422.9, subsection 2, paragraph c, Code 1983, is amended by striking the paragraph.

Sec. 8. Chapter 422, Code 1983, is amended by inserting after section 422.9 the following new section:

NEW SECTION. 422.10 RESEARCH ACTIVITIES CREDIT. The taxes imposed under this division shall be reduced by a state tax credit for increasing research activities in this state. For individuals, the credit shall equal six and one-half percent of the state's apportioned share of the qualifying expenditures for increasing research activities. The state's apportioned share of the qualifying expenditures for increasing research activities is a percent equal to the ratio of qualified research expenditures in this state to total qualified research expenditures. For purposes of this section, an individual may claim a research credit for qualifying research expenditures incurred by a partnership, subchapter S corporation, and estate or trust electing to have the income taxed directly to the individual. The amount claimed by the individual shall be based upon the pro rata share of the individual's earnings of a partnership, subchapter S corporation, or estate or trust. For purposes of this section, "qualifying expenditures for increasing research activities" means the qualifying expenditures as defined for the federal credit for increasing research activities computed under section 44F of the Internal Revenue Code of 1954, as amended to and including January 1, 1983.

Any credit in excess of the tax liability less personal exemption and child care credits provided in section 422.12 for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, a taxpayer may elect to have the overpayment shown on the taxpayer's final, completed return credited to the tax liability for the following taxable year.

Sec. 9. Section 422.12, subsection 2, Code 1983, is amended to read as follows:

2. A child and dependent care credit equal to ~~five~~ ten percent of the qualifying employment-related expenses and subject to the same limitations provided by section 44A of the Internal Revenue Code of 1954.

Married taxpayers electing to file separate returns or filing separately on a combined return must allocate the child and dependent care credit to each spouse in the proportion that ~~his or her~~ each spouse's respective net income bears to the total combined net income. Taxpayers affected by the allocation provisions of section 422.8 shall be permitted a deduction for the credit only in ~~such~~ the amount as is fairly and equitably allocable to Iowa under rules prescribed by the director.

Sec. 10. Section 422.12, Code 1983, is amended by inserting after subsection 2 the following new subsection and renumbering the remaining subsection:

NEW SUBSECTION. 3. A political contributions credit equal to five percent of the first one hundred dollars donated as a political contribution as defined in section 41(c) of the Internal Revenue Code of 1954. In the case of a married couple filing a joint return, a political contributions credit equal to five percent of the first two hundred dollars donated shall be allowed.

Sec. 11. Section 422.16, subsection 1, Code 1983, is amended to read as follows:

1. Every withholding agent as defined herein and every employer as defined herein and further defined in the Internal Revenue Code of 1954, as amended, with respect to income tax collected at source, making payment of wages as defined herein to either a resident employee or employees, or a nonresident employee or employees, working in Iowa, shall deduct and withhold from such wages an amount which will approximate the employee's annual tax liability on a calendar year basis, calculated on the basis of tables to be prepared by the department and schedules or percentage rates, based on such wages, to be prescribed by the department. Every employee or other person shall declare to such employer or withholding agent the number of his personal exemptions and dependency exemptions or credits to be used in applying such tables and schedules or percentage rates, provided that no more such personal or dependency exemptions or credits may be declared by such employee or other person than the number to which he is entitled except as allowed under section 3204(m)(1) of the Internal Revenue Code of 1954. Such claiming of such exemptions or credits in excess of entitlement shall constitute a misdemeanor.

Sec. 12. Section 422.32, subsection 4, Code 1983, is amended to read as follows:

4. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January ~~1, 1982~~ 14, 1983.

Sec. 13. Section 422.32, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 12. For purposes of section 422.32, subsection 4, the Internal Revenue Code of 1954 shall be interpreted to include the provisions of Pub. L. No. 98-4.

Sec. 14. Section 422.33, subsection 4, Code 1983, is amended to read as follows:

4. In addition to all taxes imposed under this division, there is imposed upon each corporation doing business within the state a state minimum tax for tax preference equal to ~~twenty-five~~ seventy percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is a percent equal to the ratio of the federal minimum tax on preferences attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preferences attributable to Iowa which shall be based as much as equitably possible on the allocation and apportionment provisions of subsections 2 and 3. For purposes of this subsection, "federal minimum tax" means the federal minimum tax for tax preferences computed under sections 55 to 58 of the Internal Revenue Code of 1954 for the tax year.

Sec. 15. Section 422.33, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The taxes imposed under this division shall be reduced by a state tax credit for increasing research activities in this state equal to six and one-half percent of the state's apportioned share of the qualifying expenditures for increasing research activities. The state's apportioned share of the qualifying expenditures for increasing research activities is a percent equal to the ratio of qualified research expenditures in this state to the total qualified research expenditures. For purposes of this subsection, "qualifying expenditures for increasing research activities" means the qualifying expenditures as defined for the federal credit for increasing research activities computed under section 44F of the Internal Revenue Code of 1954, as amended to and including January 1, 1983.

Any credit in excess of the tax liability for the taxable year shall be refunded with interest computed under section 422.25. In lieu of claiming a refund, a taxpayer may elect to have the overpayment shown on its final, completed return credited to the tax liability for the following taxable year.

Sec. 16. Section 422.35, subsection 8, Code 1983, is amended to read as follows:

8. Add the amounts deducted and subtract the amounts included in income as a result of the treatment provided sale-leaseback agreements under section 168(f)(8) of the Internal Revenue Code of 1954 to the extent that the amounts deducted and the amounts included in income are not otherwise deductible or included in income under the other provisions of the Internal Revenue Code of 1954. Entitlement to depreciation on any property involved in a sale-leaseback agreement shall be determined under the Internal Revenue Code of 1954, excluding section 168(f)(8) in making the determination.

Sec. 17. Section 422.60, unnumbered paragraph 2, Code 1983, is amended to read as follows:

In addition to all taxes imposed under this division, there is imposed upon each financial institution doing business within the state a state minimum tax for tax preference items equal to ~~twenty-five~~ seventy percent of the state's apportioned share of the federal minimum tax. The state's apportioned share of the federal minimum tax is a percent equal to the ratio of the federal minimum tax on preferences attributable to Iowa to the federal minimum tax on all preferences. The director shall prescribe rules for the determination of the amount of the federal minimum tax on preferences attributable to Iowa which shall be based as much as equitably possible on the allocation and apportionment provisions of section 422.63. For purposes of this subsection, "federal minimum tax" means the federal minimum tax for tax preferences computed and paid or payable under sections 55 to 58 of the Internal Revenue Code of 1954, ~~as amended to and including January 1, 1982~~.

Sec. 18. Section 450B.1, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 4. For purposes of section 450B.1, subsection 1, the Internal Revenue Code of 1954 shall be interpreted to include the provisions of Pub. L. No. 98-4.

Sec. 19. The prohibition in section 422.16, subsection 11, paragraph e, on the waiver relating to reasonable cause of the addition to tax for underpayment of the estimated tax payable shall not apply with regard to the 1982 tax year to farmers and fishermen who have elected not to pay estimated taxes during the 1982 tax year and the director shall waive the addition to tax for underpayment of the estimated tax payable for the 1982 tax year to April 30, 1983 for reasonable cause.

Sec. 20. During the 1983 legislative interim, the department of revenue shall study the tax incidence and tax impact of the existing state minimum tax, using tax information from minimum tax filings with the state and other available tax information. The department shall also estimate the tax incidence, tax impact, and tax effect of alternative methods for determining a state minimum tax, including the development of a state minimum tax paralleling the federal minimum tax but using the Iowa net income as the initial tax base, adding tax preference items from the federal minimum tax, deducting federal taxes and general and specified itemized deduction from the federal tax, and establishing a rate of eight, nine or ten percent on the resulting income, comparing that with the Iowa regular taxable income to determine the state minimum tax. The department of revenue shall report the result of this study to the General Assembly by January 15, 1984.

Sec. 21. Sections 1, 6, and 12 are retroactive to January 1, 1982 for tax years beginning on or after January 1, 1982. These sections shall also be applicable for tax years beginning prior to January 1, 1982 where the Internal Revenue Code of 1954, as amended up to and including January 14, 1983, provides for certain inclusions or exclusions in computing federal taxable income for a tax year beginning prior to January 1, 1982.

Sec. 22. Sections 3, 7, 9, 10, 14, and 17 are retroactive to January 1, 1983 for tax years beginning on or after January 1, 1983.

Sec. 23. Sections 2, 13, and 18 are retroactive to tax years ending after December 31, 1982. The sections shall be applicable for tax years ending after December 31, 1982, but only with respect to commodities received for the 1983 crop year.

Sec. 24. Sections 5 and 16 are retroactive to January 1, 1981 for the tax years beginning on or after January 1, 1981.

Sec. 25. Sections 4, 8, and 15 are effective January 1, 1985 for tax years beginning on or after January 1, 1985."

2. Amend the title, by striking all of the title after the word "Act" in line 1 and inserting in lieu thereof the words "relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, providing a temporary provision on unemployment compensation, and making the Act retroactive."

ON THE PART OF THE HOUSE:

MINNETTE F. DODERER, Chair
DOROTHY F. CARPENTER
RALPH ROSENBERG
HUGO SCHNEKLOTH
DAVID M. TABOR

ON THE PART OF THE SENATE:

WILLIAM D. PALMER, Chair
CHARLES H. BRUNER
MICK LURA
ARTHUR A. SMALL, Jr.

The motion prevailed and the report was adopted.

Doderer 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. 386)

The ayes were, 91:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs

Krewson	Lageschulte	Lonergan	Maulsby
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Baxter	Lloyd-Jones	McIntee	McKean
Menke	Mullins	Pavich	Tofte
Torrence			

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:

McKean of Jones, for the remainder of the day, on request of Krewson of Polk.

Connors of Polk in the chair at 6:20 p.m.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 548)

Connolly of Dubuque called up for consideration the report of the conference committee on Senate File 548 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 548

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 548, a bill for an act for the purpose of improving the Iowa economy and providing im-

proved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa development commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and water conservation practices, authorizing the Iowa department of transportation to issue and become obligated for road use tax revenue bonds, appropriating funds for the purpose of providing state matching funds for the Title III dislocated workers program of the Jobs Training Partnership Act, and making various appropriations to carry out the programs, respectfully make the following report:

1. That the House recede from its amendment, S–3899, to Senate File 548, as amended passed, and reprinted by the Senate.

2. That Senate File 548, as amended, passed, and reprinted by the Senate, be amended as follows:

1. Page 1, by striking lines 6 through 9 and inserting in lieu thereof the words and figures "1, 1983, and ending June 30, 1984, three million six hundred thousand (3,600,000) dollars, or so much thereof".

2. Page 1, lines 14 and 15, by striking the words and figure "one million five hundred thousand (1,500,000)" and inserting in lieu thereof the words and figure "three million (3,000,000)".

3. Page 2, line 5, by inserting after the word "to" the words "the state, a state agency, or".

4. Page 2, line 12, by striking the words "two dollars" and inserting in lieu thereof the words "one dollar".

5. Page 2, line 25, by inserting after the word "for" the word "state,".

6. Page 2, line 26, by inserting after the word "The" the words "state, state agency,".

7. Page 2, line 34, by inserting after the word "The" the words "state, state agency,".

8. Page 3, line 11, by inserting after the word "The" the words "state, state agency,".

9. Page 3, line 30, by inserting after the word "The" the words "state, state agency,".

10. Page 3, line 31, by inserting after the word "regular" the word "state,".

11. By striking page 6, line 27 through page 7, line 33.

12. By striking page 9, line 7 through page 10, line 1.

13. Page 11, by inserting after line 10 the following:

"Sec. 5. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, fifty thousand (50,000) dollars and from federal oil overcharge funds apportioned to Iowa under Pub. L. No. 97-377, one million three hundred eighty-seven thousand two hundred (1,387,200) dollars, or so much thereof as is necessary, to the energy policy council to be used for grants to local governments for energy management programs, to be used as follows:

1. Funds appropriated in this section are allocated for grants to cities, counties, and area education agencies for the following programs according to the following percentages:

a. For grants to area education agencies to consult in the area of technical energy management with school districts ..... 15 percent

b. For grants to local governments to train maintenance personnel in energy management ..... 4 percent

c. For grants to local governments to pay for the installation of utility meters to monitor energy use in buildings occupied by government agencies ..... 6 percent

d. For grants to local governments for energy audits of buildings occupied by government agencies ..... 28 percent

e. For grants to local governments, except hospitals and school districts, for energy conservation improvements in government-owned buildings ..... 47 percent

2. Cities, counties, and area education agencies are eligible for grants under subsection 1. The governing body of the unit of local government may apply for and is designated to receive the grant. The amount of the grant shall not exceed fifty percent of the cost of the project and the application must demonstrate that the local government will provide the required matching money.

3. In approving grants under this section, the energy policy council shall give priority to projects which are the most labor intensive and which produce the greatest energy conservation benefits. Each grant request shall contain information regarding the number of persons expected to be employed as a result of the grant, the number of permanent jobs which might result from the approval of the grant, and the projected energy savings.

Sec. . There is appropriated from the interest and earnings on investments from the federal oil overcharge funds described in sections 3 and 5 of this division which have been deposited in the general fund of the state not more than sixty-six thousand (66,000) dollars, or so much thereof as may be necessary, for attorney fees incurred by the state in obtaining the state's share of the federal oil overcharge funds under Pub. L. No. 97-377. Payment of these attorney fees is subject to the approval of the attorney general and the executive council."

14. Page 30, line 24, by striking the words and figure "one million (1,000,000)" and inserting in lieu thereof the words and figure "seven hundred fifty thousand (750,000)".

15. By striking page 31, line 5 through page 32, line 7 and inserting in lieu thereof the following:

"The council shall be composed of thirteen members appointed by the governor, subject to confirmation by the senate. This membership shall include:

1. Two members from the working force of the state, at least one of whom shall be a member of a labor union.

2. Two members from the state's community college system.

3. Two members from the board of regents' institutions.

4. Two members from the agricultural community of the state, at least one of whom shall represent a family farm operation.

5. Two members from management of industrial firms located in the state, at least one of whom is from a firm engaged in high technology.

Each term shall begin and end as provided in section 69.19. No more than a simple majority of the members of the board shall belong to the same political party as provided in section 69.16. Vacancies on the council shall be filled for the unexpired terms in the same manner as original appointments. The council members shall not receive per diem but shall be reimbursed for necessary expenses incurred in the performance of duties from funds appropriated to the Iowa development commission. For the initial appointments to the council, the governor shall appoint six members whose terms shall commence upon appointment and shall expire April 30, 1985, and seven members whose terms shall commence upon appointment and shall expire April 30, 1987. Thereafter, all appointments shall be for a term of four years unless the appointment is to fill a vacancy.

The council shall meet at least once each quarter and shall hold special meetings on call of the chairperson. Seven members shall constitute a quorum. The council shall adopt rules pursuant to chapter 17A to govern its procedures. The governor shall designate one member as chairperson."

16. Page 35, by inserting after line 29 the following:

"Sec. . If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all

appropriations in full and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the unexpended funds appropriated by this division are included in the estimated budget resources. Upon inclusion of the unexpended funds appropriated in this division in the estimated budget resources, any funds appropriated by this division and not encumbered shall remain in the general fund of the state.

If upon inclusion of the funds appropriated by this division in the estimated budget resources for the fiscal year beginning July 1, 1983 and ending June 30, 1984 as authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31."

17. Page 38, by striking lines 5 through 8 and inserting in lieu thereof the words "and shall be placed into the general fund of the state but shall only be used to defray the state's expense in operating the loan program."

18. Page 39, line 30, by striking the words "two hundred fifty" and inserting in lieu thereof the words "three hundred".

19. Page 44, by striking lines 16 through 21 and inserting in lieu thereof the words "and for each fiscal year thereafter if the actual amount of road use tax revenues credited to the primary road fund in a fiscal year is less than the amount of such revenues which the department had estimated would be credited to the primary road fund in that fiscal year, the department may issue and sell bonds for that fiscal year in an amount equal to the difference, but not in excess of ten million dollars. If the department has a project which".

20. Page 56, by striking lines 1 through 8 and inserting in lieu thereof the following new divisions:

"DIVISION XI

Sec. 90. NEW SECTION. PURPOSE. There is created a job training partnership program in the state for the purpose of supplementing and implementing the legislative requirements provided under the federal Job Training Partnership Act of 1982, Pub. L. 97-300. The general assembly shall provide the funds necessary to obtain federal funds to provide employment and training assistance to dislocated workers and shall authorize the appropriation of state funds to provide training to the economically disadvantaged. The program shall also establish policies and restrictions for job training and related services provided to certain unemployed individuals under the federal Act. The purpose of this division is also to establish eligibility guidelines for individuals receiving assistance under the state program and federal Act and to establish guidelines for administering the federal Act and state program through the use of service delivery areas designated by the office of the governor in accordance with the federal Act. The office of the governor and the state job training coordinating council shall consult with the legislative council or the appropriate appropriations subcommittees regarding the award to local service delivery areas of funds allocated to the state under Title III of the federal Act and funds mandated to be expended under this division.

Sec. 91. NEW SECTION. DEFINITIONS. As used in sections 90 through 94 unless the context otherwise requires:

1. "Federal Act" means the Job Training Partnership Act of 1982, Pub. L. 97-300.

2. "State program" means the job training partnership program.

3. "Dislocated worker" includes but is not limited to an individual who:

a. Has been terminated or laid off, or who has received notice of termination or layoff, and is eligible for or has exhausted unemployment compensation benefits.

b. Is unlikely to return to the industry or occupation in which the individual was employed. Industry or occupation includes farming or the ownership and operation of a small business.

c. Has been terminated or received notice of termination as a result of the permanent closure or relocation of a plant, facility, or plant operation in which the individual was employed.

d. Is chronically unemployed, as determined by the Iowa department of job service and:

(1) Has limited opportunities for employment in the geographic area in which the individual resides; or

(2) Is an older individual who may face substantial barriers to employment because of age.

4. "Economically disadvantaged" includes the following:

a. A person who receives or is a member of a family which receives cash welfare payments under a federal, state, or local welfare program.

b. A person who is receiving food stamps under the federal Food Stamp Act of 1977.

c. A person who has or is a member of a family which has for six months prior to application for the program, exclusive of unemployment compensation, child support payments, and welfare payments, a total family income in relation to family size less than the higher of the following:

(1) The federal poverty level established by the federal office of management and budget; or

(2) Seventy percent of the income level adjusted for regional, metropolitan, urban, and rural differences and family size as determined annually by the secretary of the federal department of labor and known as the "lower living standard income level" under the federal Act.

5. "Displaced homemaker" means a person as defined in chapter 241.

6. "Service delivery area" means the geographic area designated by the office of the governor in accordance with section 101 of the federal Act to implement the federal Act within the state.

7. "Unemployed individual" means an individual who is without a job, who wants work, and who is available for work.

Sec. 92. NEW SECTION. ESTABLISHMENT AND ADMINISTRATION. The office of the governor in consultation with the general assembly shall establish a state program to complement, supplement, and implement the federal Act to provide training and related services for unemployed persons who are economically disadvantaged or who are dislocated workers. In administering this program the office of the governor shall do the following:

1. Execute the state responsibilities under Title I of part B of the federal Act.

2. Award grants to applicants who shall provide employment and training services to program participants directly and through contractual arrangements.

3. Distribute funds allocated to the state under Title II of the federal Act in accordance with section 202 of the federal Act.

4. Consult with the legislative council or the appropriate appropriations subcommittees and the state job training coordinating council.

5. Award state funds authorized to be expended under this division and funds allocated to the state under Title III of the federal Act in accordance with section 94 of this Act.

6. Provide eligibility criteria, performance standards, reporting standards, and management standards for the state program which conform to the requirements of the federal Act.

7. Provide technical assistance to service delivery areas for program development and proposal preparation.

8. Take steps to ensure that the programs which are established and the services which are provided under this division and the federal Act are coordinated to the extent feasible with existing state agencies, programs, and services.

9. Order audits which either shall be conducted by the auditor of state or the auditor's designee or shall be independently contracted as required by the federal Act and determined by the governor.

10. By January 15 of each year, the governor shall submit an annual report on the effectiveness of the state job training partnership program. The report shall include an estimate of funds to be allocated at the state level for administrative purposes.

11. Provide the secretary of the senate, chief clerk of the house, and members of the legislative council with copies of quarterly performance reports submitted by the office of the governor in accordance with the federal Act and copies of annual financial

reports submitted to the office of the governor by the local private industry councils. The office of the governor and the private industry councils shall provide copies of reports and other information upon the request of a member of the general assembly.

Sec. 93. NEW SECTION. SERVICES PROVIDED.

1. Services to the economically disadvantaged under the state program may include activities permitted under section 204 of the federal Act and any supportive services which are not inconsistent with the federal Act.

2. Services to dislocated workers under the state program may include those activities permitted under section 303 of the federal Act.

3. Funds allocated to the state and appropriated by the state under the federal Act shall not be used in a workfare program except as provided in subsection 4, paragraphs a, b, and d.

4. Priority under this section is accorded any training services which include:

a. On-the-job training.

b. Classroom training.

c. A combination of work experience and remedial education.

d. Job search assistance, including jobs clubs.

e. Tuition assistance for appropriate state approved classroom and vocational technical programs.

5. Services provided under this section shall be provided in a nondiscriminatory manner and shall promote training in traditional and nontraditional employment opportunities for all persons.

6. After consultation with the appropriate state agencies, the office of the governor shall provide, using state funds if necessary where federal funds are limited by the federal Act, training allowances, expenses, stipends, and supportive services which enable eligible persons to participate in state training services.

7. Permissible supportive services provided for Title III program participants include, but are not limited to, the provision of financial counseling, transportation assistance, or child care to eligible persons.

Sec. 94. NEW SECTION. TITLE III GRANT AWARDS.

1. Except for funds reserved for administration and for state administered statewide programs under Title III, the office of the governor shall distribute by grant awards to local service delivery areas, the remainder of federal funds allocated to the state under Title III of the federal Act and the state funds which are appropriated for Title III programs.

2. An applicant for grants shall submit a grant application to the office of the governor for each grant sought. The application shall indicate the concurrence of the private industry council and the appropriate elected officials within the service delivery areas. Separate applications shall be submitted for training the economically disadvantaged and retraining for dislocated workers.

3. The office of the governor shall consider all of the following factors in determining grant awards:

a. The need for the proposed training and retraining.

b. Evidence of local effort to support the proposed activities through public or private funds or in-kind contributions.

c. The demonstrated effectiveness of the grant applicant in providing training or retraining.

d. Documentation that the proposed program will prepare participants for specific employment opportunities or occupations projected to be in demand in the local economy.

e. Documentation that the proposed program is nondiscriminatory and will prepare persons for traditional and nontraditional occupations.

4. Service delivery areas proposing to conduct retraining shall coordinate with the local office of the Iowa department of job service to identify individuals who will be eligible for the program.

Sec. 95. There is appropriated from the general fund of the state to the office of the governor or an agency designated by the governor for the fiscal year beginning July 1, 1983 and ending June 30, 1984 the sum of one million three hundred thousand (1,300,000) dollars or so much thereof as is necessary, to carry out sections 90 through 94 of this Act. Additional funds may be appropriated to provide training for the economically disadvantaged.

DIVISION XII

Sec. 80. NEW SECTION. 28.40 INTENT. The purposes of this division are to encourage capital investment in the state of Iowa, to encourage the establishment or expansion of business and industry, to provide additional jobs within the state, and to encourage research and development activities within this state.

Sec. 81. NEW SECTION. 28.41 TITLE. This division shall be known and may be cited as the "Iowa Venture Capital Fund Act."

Sec. 82. NEW SECTION. 28.42 AUTHORIZED CORPORATION. There may be incorporated under chapter 496A a corporation which shall be known as the Iowa venture capital fund. The corporation shall be established by the Iowa development commission, and the initial board of directors shall be appointed by the governor. The initial board of directors shall consist of five members, not more than three of whom shall be from the same political party. The purpose of the corporation shall be to

organize and manage an investment fund which shall be capitalized through the sale of common stock to the public. The Iowa development commission may expend an amount not to exceed one hundred thousand dollars of the funds necessary to establish the corporation which funds shall be repaid to the Iowa development commission upon completion of its public offering of stock. The corporation shall be subject to and have the powers and privileges conferred by this division, and those provisions of chapter 496A which are not inconsistent with and to the extent not restricted or limited by this division. In providing for the sale of its common stock to the public, the corporation shall offer to every licensed brokerage firm located in the state the opportunity to market the sale of the common stock and shall provide for the taking of bids for purposes of determining which brokerage firm or firms will market the sale of the common stock.

Sec. 83. NEW SECTION. 28.43 INVESTMENT POLICY. It is the policy of the Iowa venture capital fund to invest primarily in companies with a principal place of business in the state, which meet the appropriate small business administration definition of small business and which are principally engaged in the development or exploitation of inventions, technological improvements, new processes, or products not previously generally available in this state, or which provides support to such companies, or other investments which provide an economic benefit to the state. Fund investments shall be in accordance with the general objective of encouraging the development of additional business operations and employment in this state through venture capital financing to selected business ventures. The principal financial objective of the fund is to generate long-term capital appreciation by participating in the growth in equity value of Iowa-based companies in which the fund invests.

Sec. 84. NEW SECTION. 28.44 REPORTS TO DEVELOPMENT COMMISSION. The Iowa venture capital fund is subject to the examination of the Iowa development commission and shall make reports of its condition not less than annually and shall also furnish other information as may from time to time be required by the Iowa development commission.

Sec. 85. NEW SECTION. 28.45 STOCK SALES LIMIT. The aggregate value of all stock sold in the Iowa venture capital fund for which a credit is allowed under section 422.10 or 422.33 shall not exceed five million dollars.

Sec. 86. NEW SECTION. 422.10 IOWA VENTURE CAPITAL FUND INVESTMENT CREDIT. The taxes imposed under this division, less credits permitted under section 422.12, shall be reduced by a state tax credit equal to five percent of the taxpayer's investment in the initial offering of securities by the Iowa venture capital fund established by the Iowa development commission and governed by a chapter 496A corporation and the Iowa venture capital fund Act. Any credit in excess of the tax liability for the taxable year may be credited to the tax liability for the following three taxable years or until depleted in less than three years.

In the case of an estate or trust, the credit shall be allocated between each beneficiary and the estate or trust based on the ratio that the income distributed to a beneficiary bears to the total distributable net income of the estate or trust for the taxable year.

Sec. 87. Section 422.33, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The taxes imposed under this division shall be reduced by a state tax credit equal to five percent of the taxpayer's investment in the initial offering of securities by the Iowa venture capital fund established by the Iowa development commission and governed by a chapter 496A corporation and the Iowa venture capital fund Act. Any credit in excess of the tax liability for the taxable year may be credited to the tax liability for the following three taxable years or until depleted in less than three years.

Sec. 88. Sections 80 through 85 of this Act are created as a new division of chapter 28.

DIVISION XIII

Sec. . There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, nine hundred thousand (900,000) dollars, or so much thereof as is necessary, to the office for planning and programming to be used for community grants as follows:

1. The jobs commission established in division 1 of this Act shall establish a program of grants to cities and community groups for the development of community programs that would provide local jobs for Iowa residents and at the same time promote a city's historical, ethnic, and cultural heritages through the development of festivals, music, drama, or cultural programs, or tourist attractions. At least twenty-five percent of the funds appropriated in this division shall be used for the purpose of developing community programs eligible for grants under this division which were not in existence prior to the effective date of this division.

2. A city or community group may submit applications to the jobs commission or to any job service office in the state. Applications shall be reviewed by the Iowa arts council, the state historical board, and the tourist division of the Iowa development commission, acting as an advisory committee to the jobs commission. The advisory committee shall submit recommendations to the jobs commission regarding possible recipients and grant amounts. The amount of a grant shall not exceed fifty percent of the cost of the community program and the application must demonstrate that the city or community group will provide the required matching money. In lieu of providing the entire match in money, a city or community group may substitute in-kind services for up to fifty percent of the matching requirement.

3. If a portion of the funds appropriated by this subsection is not committed to a city or community group by March 1, 1984, the uncommitted funds may be transferred under section 8.39 to local work relief projects funded under division I of this Act."

22. Renumber sections and correct internal references as necessary in accordance with this amendment.

23. Amend the title, line 4, by inserting after the word "programs" the words "for certain local governments and".

24. Amend the title, by striking lines 16 through 19 and inserting in lieu thereof the words "for road use tax revenue bonds, establishing a job training partnership program, providing for the establishment of a corporation by the Iowa development commission which will organize and manage an investment fund which will invest in Iowa

enterprises and allowing a state income tax credit on the net investment in the fund, establishing a program to aid communities in developing festivals and other tourist attractions, and making various appropriations".

ON THE PART OF THE HOUSE:	ON THE PART OF THE SENATE:
MICHAEL CONNOLLY, Chair	NORMAN RODGERS, Chair
NED CHIODO	WILLIAM PALMER
EDWARD PARKER	FORREST SCHWENGELS
DARRELL HANSON	TOM SLATER
KYLE HUMMEL	DALE TIEDEN

A non-record roll call was requested.

The ayes were 84, nays 3.

The motion prevailed and the report was adopted.

Connolly of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 548)

The ayes were, 87:

Anderson	Arnould	Avenson	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Cooper	Copenhaver	Corey	Daggett
Davitt	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Gronstal	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
Miller	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Pellett	Poncy	Renaud
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Van Camp	Van Gerpen	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

The nays were, 5:

Branstad	Handorf	Renken	Rensink
Welden			

Absent or not voting, 8:

Baxter	McKean	Menke	Mullins
O'Kane	Pavich	Tofte	Torrence

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Speaker Avenson in the chair at 6:27 p.m.

Norland of Worth asked for unanimous consent to take up for consideration House File 634, previously deferred.

Objection was raised.

The House stood at ease at 6:28 p.m., until the fall of the gavel.

The House resumed session at 6:35 p.m., Speaker Avenson 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 14, 1983, adopted the conference committee report and passed Senate File 531, a bill for an act relating to making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety and public defense.

K. MARIE THAYER, Secretary

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 531)

Groninga of Cerro Gordo called up for consideration the report of the conference committee on Senate File 531 as follows:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 531

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 531, 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, respectfully make the following report:

1. That the Senate recede from its amendment, H—4131, to the House amendment, S—3817, to Senate File 531, as amended, passed, and reprinted by the Senate.

2. That the House recede from its amendment, S—3817, to Senate File 531, as amended, passed, and reprinted by the Senate.

3. That Senate File 531, as amended, passed, and reprinted by the Senate, be amended as follows:

1. Page 2, line 12, by striking the figure "4,639,967" and inserting in lieu thereof the figure "4,603,217".

2. Page 2, by striking lines 13 through 18.

3. Page 4, line 6, by striking the figure "4,836,947" and inserting in lieu thereof the figure "4,636,947".

4. Page 4, by striking lines 9 through 12 and inserting in lieu thereof the following:

"c. For undercover purchases by the division of criminal investigation agents and local law enforcement agents ..... $200,000"

5. Page 5, by inserting after line 18 the following section:

"Sec. . An employee of the department of public safety or the state conservation commission who retires after the effective date of this Act is eligible for payment of life or health insurance premiums as provided for in the collective bargaining agreement covering the public safety bargaining unit at the time of retirement if that employee previously served in a position which would have been covered by that agreement. The employee shall be given credit for the service in that prior position as though it was covered by the agreement. This section shall not operate to reduce any retirement benefits the employee may have earned under other collective bargaining agreements or retirement programs. This section is repealed July 1, 1985."

6. Page 8, by inserting after line 29 the following sections:

"Sec. 30. Section 25A.14, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a highway, secondary road, or street as defined in section 321.1, subsection 48, that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing highway, secondary road, or street, to new, changed, or altered design standards. In respect to highways and roads, sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, or maintaining an existing highway or road does not constitute reconstruction. This subsection shall not apply to claims based upon gross negligence.

Sec. 31. Section 25A.14, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 9. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a public improvement as defined in section 384.37, subsection 1, or other public facility that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing public improvement or other public facility to new, changed, or altered design standards. This subsection shall not apply to claims based upon gross negligence. This subsection takes effect July 1, 1984 and applies to all cases tried or retried on or after July 1, 1984."

7. Page 12, line 10, by striking the words "five hundred" and inserting in lieu thereof the words "~~five~~ two hundred fifty".

8. Page 12, line 20, by striking the words "center of a roadway" and inserting in lieu thereof the word "highway".

9. Page 12, by inserting after line 20 the following section:

"Sec. . Section 312.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 14. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the state department of transportation one hundred thousand dollars from the road use tax funds. The state department of transportation shall expend the funds for the planting or maintenance of trees or shrubs in shelter belts for erosion control to reduce wind erosion interfering with the maintenance of highways in the state or the safe operation of vehicles on the highways."

10. Page 14, line 3, by striking the words "equal to one-third" and inserting in lieu thereof the words "~~equal to one third~~".

11. Page 14, line 5, by inserting after the word "fund" the words "as provided in section 312.2, subsection 5".

12. Page 14, by inserting after line 18 the following:

"Sec. 40. Section 613A.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a highway, secondary road, or street as defined in section 321.1, subsection 48, that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing highway, secondary road, street, to new, changed, or altered design standards. In respect to highways and roads, sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, or maintaining an existing highway or road does not constitute reconstruction. This subsection shall not apply to claims based upon gross negligence.

Sec. 41. Section 613A.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a public improvement as defined in section 384.37, subsection 1, or other public facility that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing public improvement or other public facility to new, changed, or altered design standards. This subsection shall not apply to claims based upon gross negligence. This subsection takes effect July 1, 1984 and applies to all cases tried or retried on or after July 1, 1984.

Sec. 42. Section 613A.4, subsection 3, Code 1983, is amended to read as follows:

3. Any claim based upon an act or omission of an officer or employee of the municipality, exercising due care, in the execution of a statute, ordinance, or regulation whether the statute, ordinance or regulation is valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of the municipality or an officer or employee of the municipality, whether or not the discretion is abused.

Sec. 43. LEGISLATIVE INTENT. It is the intent of sections 30 and 40 of this legislation, to define those cases in which a state or municipality, by its highway or road construction or reconstruction policy, may be liable for negligent acts or omissions, and it is not the intent of this legislation to affect those rights, claims, or defenses which exist in the law and which are in areas of litigation other than highway or road construction or reconstruction. The rule of statutory construction that the express mention of one thing implies the exclusion of the other does not apply to this Act.

Sec. 44. NEW SECTION. The doctrine of joint and several liability shall not apply if a plaintiff is found to bear any comparative negligence with respect to any claim.

Sec. 45. Sections 30, 40 and 42 of this Act shall apply to all cases tried or retried after July 1, 1983. Section 44 of this Act shall apply to cases tried or retried on or after July 1, 1984.

Sec. 46. The legislative council is directed to establish a joint subcommittee of the senate committee on judiciary, the house committee on judiciary and law enforcement, and the senate and house committees on commerce, to be composed of eight members of the house and eight members of the senate, to study the matter of comparative negligence, comparative fault and contributory negligence as they apply to the broad spectrum of tort law in Iowa, during the interim between the Seventieth General Assembly's first and second session. This joint subcommittee shall be authorized to meet for not less than five days."

13. Page 15, by inserting after line 2 the following sections:

"Sec. . Notwithstanding the provisions of section 423.24, there is transferred from revenues collected under chapter 423 during each year of the fiscal period beginning July 1, 1983 and ending June 30, 1985 from the use tax imposed on motor vehicles, trailers and motor vehicle accessories and equipment under section 423.7 the sum of seven million five hundred thousand (7,500,000) dollars which shall be transferred to the special railroad facility fund to be used exclusively for the purposes provided in this section. The Iowa railway finance authority may enter into a partnership agreement as allowed under section 307B.7, subsection 7, for the purpose of acquiring the right-of-way of the Chicago, Rock Island and Pacific railroad. The funds shall be expended to supplement private investment capital obtained for that purpose by matching any private investment capital on an equal basis. The funds transferred to the special railroad facility fund under this section shall be considered an interest-free loan to be repaid to the road use tax fund from receipts credited to the special railroad facility fund under section 307B.23.

The Iowa railway finance authority shall obtain a lien against the railroad right-of-way and related materials to secure the loan and secure repayment. If the purchase of the railroad right-of-way is not completed by January 1, 1986, the entire amount of the loan shall become due and payable.

Sec. . If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984, are insufficient to pay all appropriations in full prior to February 1, 1984, and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the transfers authorized by this section have been made.

Notwithstanding the provisions of section 423.24, there shall be transferred from the revenues collected under chapter 423 in the fiscal year beginning July 1, 1983 and ending June 30, 1984, from the use tax collected on motor vehicles, trailers and motor vehicle accessories and equipment under section 423.7 an amount necessary to provide the estimated budget resources necessary to pay all appropriations in full. However, the total amount transferred prior to February 1, 1984, shall not exceed twelve million five hundred thousand (12,500,000) dollars.

If upon transfer of the twelve million five hundred thousand (12,500,000) dollars authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31.

Any funds transferred to the general fund of the state under this section prior to February 1, 1984, shall be considered an interest-free loan and the loan shall be repaid from the general fund of the state to the road use tax fund not later than May 31, 1984."

14. Amend the title, by striking all of the title after the word "Act" in line 1 and inserting in lieu thereof the words "relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety, and public defense and providing for the maintenance of the fiscal stability of certain state and local agencies by providing conditions by which they may be held liable for damages."

15. Renumber sections and correct internal references as are necessary in accordance with this amendment.

ON THE PART OF THE HOUSE:
THOMAS J. JOCHUM, Chair
JOHN GRONINGA
WILLIAM H. HARBOR
RUHL MAULSBY
JACK E. WOODS

ON THE PART OF THE SENATE:
JOE J. WELSH, Chair
RICHARD F. DRAKE
C. W. BILL HUTCHINS

Connors of Polk in the chair at 6:57 p.m.

Speaker Avenson in the chair at 7:28 p.m.

Groninga of Cerro Gordo moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested

The ayes were 46, nays 38

The motion prevailed and the report was adopted.

Groninga 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (S.F. 531)

The ayes were, 52:

Anderson	Arnould	Black	Branstad
Buhr	Carl	Carpenter	Chapman
Chiodo	Cochran	Connolly	Connors
Cooper	Copenhaver	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Harbor	Holveck	Hughes
Hummel	Jochum	Koenigs	Krewson
Lloyd-Jones	McIntee	Muhlbauer	Norland
Osterberg	Parker	Pellett	Renaud
Royer	Schroeder	Sherzan	Shoultz
Skow	Stueland	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 42:

Bennett	Blanshan	Brammer	Carter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Hammond	Hanson
Haverland	Hermann	Hoffmann-Bright	Jay
Knapp	Lageschulte	Lonergan	Maulsby
Menke	Miller	O'Kane	Ollie
Oxley	Paulin	Peick	Poncy
Renken	Rensink	Rosenberg	Running
Schnekloth	Spear	Stromer	Sturgeon
Sullivan	Swearingen	Van Camp	Van Gerpen
Van Maanen	Welden		

Absent or not voting, 6:

Baxter	McKean	Mullins	Pavich
Tofte	Torrence		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 634**, a bill for an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty, and pro-

viding that revenue generated shall be distributed to the general fund and appropriated under certain conditions to the unemployment trust fund, and the Senate amendment H—4234, previously deferred.

Chiodo of Polk moved that the House concur in the Senate amendment H—4234.

A non-record roll call was requested.

The ayes were 45, nays 39.

The motion prevailed and the House concurred in the Senate amendment H—4234.

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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 634)

The ayes were, 51:

Arnould	Blanshan	Brammer	Buhr
Carl	Chapman	Chiodo	Connolly
Connors	Cooper	Davitt	Doderer
Fey	Fogarty	Groninga	Gronstal
Groth	Halvorson, R. N.	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lloyd-Jones	McIntee	Miller	Muhlbauer
Norland	O'Kane	Ollie	Parker
Peick	Poncy	Renaud	Rosenberg
Royer	Running	Schroeder	Sherzan
Shoultz	Skow	Sturgeon	Sullivan
Swartz	Tabor	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 43:

Anderson	Bennett	Black	Branstad
Carpenter	Carter	Clark	Cochran
Copenhaver	Corey	Daggett	De Groot
Diemer	Grandia	Gruhn	Halvorson, R. A.

Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hummel	Lageschulte	Lonergan	Maulsby
Menke	Osterberg	Oxley	Paulin
Pellett	Renken	Rensink	Schnekloth
Spear	Stromer	Stueland	Swearingen
Van Gerpen	Van Maanen	Welden	

Absent or not voting, 6:

Baxter	McKean	Mullins	Pavich
Tofte	Torrence		

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:

Skow of Guthrie, for the remainder of the session, on request of Black of Jasper.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 543)

Connolly of Dubuque called up for consideration the report of the conference committee on Senate File 543 as follows and moved the adoption of the report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 543

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 543, a bill for an act relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps, respectfully make the following report:

1. That the House recede from its amendment, S–3918, to Senate File 543, as amended, passed, and reprinted by the Senate.

2. That Senate File 543, as amended, passed, and reprinted by the Senate, be amended as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. 1981 Iowa Acts, chapter 43, section 1, amending section 98.6, Code 1981, is amended to read as follows:

SECTION 1. Section 98.6, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding subsection 1, there is imposed ~~for the fiscal biennium~~ beginning July 1, 1981 ~~and ending June 30, 1983~~ and shall be collected and paid to the department a tax on all cigarettes used or otherwise disposed of in this state for any purpose at the rate of nine mills on each cigarette ~~which shall not be considered as part of the basic cost of cigarettes as defined in section 551A.2~~.

Sec. 2. 1981 Iowa Acts, chapter 43, section 2, amending section 98.8, subsection 1, Code 1981, is amended to read as follows:

SEC. 2. Section 98.8, subsection 1, Code 1981, is amended to read as follows:

1. Stamps shall be sold by and purchased from the department. The department shall sell stamps to the holder of a state distributor's permit which has not been revoked and to no other person. Stamps shall be sold to the permit ~~holders at a discount of not to exceed five percent of the face value. However, for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, stamps shall be sold to permit~~ holders at a discount of two percent of the face value. Stamps shall be sold in unbroken books of one thousand stamps, unbroken rolls of thirty thousand stamps, or unbroken lots of any other form authorized by the director.

Sec. 3. Section 551A.2, subsection 8, Code 1983, is amended to read as follows:

8. "Basic cost of cigarettes" shall mean whichever of the two following amounts is lower~~, namely,~~: (a) the true invoice cost of cigarettes to the wholesaler or retailer, as the case may be, or (b) the lowest replacement cost of cigarettes to the wholesaler or retailer in the quantity last purchased, less, in either case, all trade discounts and customary discounts for cash, plus one-half of the full face value of any stamps which may be required by any cigarette tax Act of this state~~, unless included by the manufacturer in his list price~~.

Sec. 4. Section 551A.2, subsection 9, paragraph b, Code 1983, is amended to read as follows:

b. The cost of doing business by the wholesaler is presumed to be ~~four~~ three percent of the basic cost of ~~said~~ cigarettes in the absence of proof of a lesser or higher cost, ~~plus~~ which includes cartage to the retail outlet, ~~if furnished or paid for by the wholesaler~~ plus the full face value of any stamps which may be required by any cigarette tax Act of this state to the extent not already included in the basic cost of cigarettes. ~~Such cartage cost is presumed to be one-half of one percent of the basic cost of the cigarettes in the absence of proof of a lesser or higher cost.~~

Sec. 5. Section 551A.2, subsection 10, paragraph b, Code 1983, is amended to read as follows:

b. The cost of doing business by the ~~said~~ retailer is presumed to be ~~eight~~ six percent of the basic cost of cigarettes in the absence of proof of a lesser or higher cost plus the full face value of any stamps which may be required by any cigarette tax Act of this state to the extent not already included in the basic cost of cigarettes."

2. Amend the title, line 6, by inserting after the word "stamps" the words "decreasing the percent that cigarettes are required to be marked up, and computing the mark up on only one-half of the cigarette tax".

ON THE PART OF THE HOUSE:
ROBERT C. ARNOULD, Chair
MICHAEL GRONSTAL
MIKE CONNOLLY
ROGER HALVORSON
HUGO SCHNEKLOTH

ON THE PART OF THE SENATE:
NORMAN RODGERS, Chair
DON GETTINGS
CALVIN HULTMAN
GEORGE KINLEY

A non-record roll call was requested.

The ayes were 61, nays 19.

The motion prevailed and the report was adopted.

Connolly of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 543)

The ayes were, 80:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Carl
Carpenter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Fey	Fogarty
Groninga	Gronstal	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Harbor
Haverland	Hoffmann-Bright	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	McIntee
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Peick	Pellett	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Schroeder	Sherzan	Shoultz
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Van Camp	Van Gerpen	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 10:

Buhr	Grandia	Hanson	Hermann
Holveck	Hummel	Maulsby	Menke
Paulin	Renken		

Absent or not voting, 10:

Baxter	Carter	Doderer	Groth
McKean	Mullins	Pavich	Skow
Tofte	Torrence		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENTS CONSIDERED

Fey of Scott called up for consideration **House File 241,** a bill for an act relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive, amended by the Senate, and moved that the House concur in the following Senate amendment H—4001:

H—4001

Amend House File 241, as passed by the House, as follows:

1. Page 1, line 12, by striking the word "ten" and inserting in lieu thereof the words "~~ten~~ twelve".

2. Page 1, line 21, by striking the figure "9,999.99" and inserting in lieu thereof the figures "~~9,999.99~~ 11,999.99".

3. Page 1, by inserting after line 21 the following section:

"Sec. . Section 135D.22, subsections 4 and 5, Code 1983, are amended to read as follows:

4. For the sixth through ninth years after the year of manufacture the semiannual tax ~~shall be~~ is ninety percent of the tax computed according to subsection 1 or 2 of this section, whichever is applicable.

5. For all mobile homes ten or more years after the year of manufacture the semiannual tax ~~shall be~~ is eighty percent of the tax computed according to subsection 1 or 2 of this section, whichever is applicable."

4. Page 2, line 3, by striking the figure

"9,999.99" and inserting in lieu thereof the figures "~~9,999.99~~ 11,999.99".

5. Renumber sections and correct internal references as necessary in accordance with this amendment.

The motion prevailed and the House concurred in the Senate amendment H—4001.

Fey of Scott moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 241)

The ayes were, 90:

Arnould	Bennett	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carter	Chapman	Chiodo	Clark
Cochran	Connolly	Connors	Cooper
Copenhaver	Corey	Daggett	Davitt
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gronstal
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hermann	Hoffmann-Bright	Holveck
Hughes	Hummel	Jay	Jochum
Knapp	Koenigs	Krewson	Lageschulte
Lonergan	Maulsby	McIntee	Menke
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Schroeder
Sherzan	Shoultz	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Van Camp	Van Gerpen
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Anderson	Baxter	Carpenter	Lloyd-Jones
McKean	Mullins	Pavich	Skow
Tofte	Torrence		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Cochran of Webster called up for consideration **Senate File 544,** a bill for an act relating to fees charged to grain dealers and grain warehouse operators by the commerce commission under chapters 542 and 543, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4251 to the House amendment:

H—4251

Amend the House amendment S—3933 to Senate File 544 as follows:

1. Page 1, by inserting after line 4 the following:

"a, Code 1983, is amended to read as follows:

a. A class 1 license is required if the grain dealer purchases any grain by credit-sale contract, or if the value of grain purchased by the grain dealer from producers during the grain dealer's previous fiscal year exceeds ~~two hundred fifty~~ five hundred thousand dollars. Any other grain dealer may elect to be licensed as a class 1 grain dealer.

Sec. 2. Section 542.3, subsection 2, paragraph".

The motion prevailed and the House concurred in the Senate amendment H—4251 to the House amendment.

Cochran of Webster 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. 544)

The ayes were, 86:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann

Hoffmann-Bright	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Krewson
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	Menke	Miller	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Paulin	Peick	Pellett	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Sherzan	Shoultz
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Van Camp
Van Gerpen	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, 4:

O'Kane	Parker	Running	Sullivan

Absent or not voting, 10:

Baxter	Hummel	McKean	Müllins
Pavich	Schroeder	Skow	Tofte
Torrence	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 73.

Unfinished Business Calendar

The House resumed consideration of **Senate File 73,** a bill for an act requiring the Iowa beer and liquor control department to hold a local public hearing when a state liquor store is established or discontinued, deferred and placed on the unfinished business calendar on April 12, 1983.

Renaud 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. 73)

The ayes were, 78:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Diemer	Doderer	Fey
Fogarty	Grandia	Gronstal	Groth
Gruhn	Halvorson, R. A.	Hammond	Hanson
Harbor	Haverland	Hermann	Hoffmann-Bright
Holveck	Hughes	Hummel	Jochum
Knapp	Koenigs	Krewson	Lloyd-Jones
Lonergan	McIntee	Miller	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rosenberg
Royer	Schnekloth	Schroeder	Sherzan
Shoultz	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Van Camp	Van Gerpen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 13:

De Groot	Groninga	Halvorson, R. N.	Handorf
Jay	Lageschulte	Maulsby	Menke
O'Kane	Running	Sullivan	Van Maanen
Welden			

Absent or not voting, 9:

Baxter	Davitt	McKean	Mullins
Pavich	Rensink	Skow	Tofte
Torrence			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Varn of Johnson called for consideration **Senate File 461**, a bill for an act to establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H–4252 to the House amendment:

H–4252

Amend the House amendment, S–3823, to Senate File 461, as passed by the Senate, as follows:

1. Page 1, by striking lines 11 through 22 and inserting in lieu thereof the following:

" . Page 1, by striking lines 28 and 29."

The motion prevailed and the House concurred in the Senate amendment H–4252.

Varn of Johnson 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. 461)

The ayes were, 90:

Anderson	Arnould	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Chiodo	Clark	Cochran	Connolly
Connors	Cooper	Copenhaver	Corey
Daggett	Davitt	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gronstal	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hoffmann-Bright	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Krewson	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Menke	Miller	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Peick	Pellett
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Schroeder	Sherzan	Shoultz	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Van Camp
Van Gerpen	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 3:

Maulsby	O'Kane	Welden

Absent or not voting, 7:

Baxter	McKean	Mullins	Pavich
Skow	Tofte	Torrence	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on May 14, 1983, adopted the conference committee report and passed House File 343, a bill for an act authorizing the conservation commission to protect and manage all wild vertebrates.

Also: That the Senate has on May 11, 1983, 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 532, a bill for an act to provide for the establishment of programs for teachers of science and mathematics and to make an appropriation.

Also: That the Senate has, on May 14, 1983, adopted the conference committee report and passed House File 562, a bill for an act relating to funds available to school districts.

Also: That the Senate has on May 9, 1983, passed the following bill in which the concurrence of the Senate was asked:

House File 626, a bill for an act relating to penalties for violations of the motor fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws.

Also: That the Senate has, on May 14, 1983, adopted the conference committee report and passed House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

Also: That the Senate has on May 13, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 92, a bill for an act to permit pari-mutuel betting in Iowa, and creating a state racing commission and prescribing its powers and duties.

Also: That the Senate has on May 11, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 380, a bill for an act relating to projects for which industrial revenue bonds may be issued by a city or county.

Also: That the Senate has on May 14, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 524, a bill for an act relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for wages paid or accrued for work done in the state by certain individuals.

Also: That the Senate has on May 12, 1983, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 537, a bill for an act to provide a property tax levy for equipment replacement for area schools.

Also: That the Senate has on May 14, 1983, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 47, providing for adjournment of the 1983 Session of the Seventieth General Assembly.

K. MARIE THAYER, Secretary

ADOPTION OF SENATE CONCURRENT RESOLUTION 47

Norland of Worth called up for consideration Senate Concurrent Resolution 47 as follows and moved its adoption:

SENATE CONCURRENT RESOLUTION 47
By: Junkins and Hultman

Be It Resolved by the Senate, the House Concurring,
That when adjournment is had on Saturday, May 14, 1983,
it be the final adjournment of the 1983 Regular Session
of the Seventieth General Assembly.

The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 39
By Lonergan, De Groot, Jochum, Welden and Tabor

Whereas, the General Assembly has appropriated
state funds to the childhood cancer programs, the
hemophilia program, the muscular dystrophy and related
genetic diseases program; and
Whereas, it is important to determine the extent
to which these programs can be made self-supporting

through fees and third party reimbursement mechanisms; and

Whereas, information concerning these programs may provide direction to the General Assembly; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the University of Iowa Hospitals and Clinics shall collect information on the fees charged and the financial status and third party coverage of patients in the childhood cancer program, the hemophilia program, the high-risk infant follow-up program, the perinatal program, and the muscular dystrophy and related genetic diseases program in the format prescribed by the Legislative Council; and

Be It Further Resolved, That the information collected by the University of Iowa Hospitals and Clinics shall include the amount of third party reimbursements, the sources of third party reimbursements, the costs of these programs, and proposed fee structures for consultation with health care providers, if pertinent; and

Page 2

Be It Further Resolved, That a preliminary report on the information collected shall be provided to the Legislative Fiscal Committee and distributed to the members of the Appropriations Subcommittee on Human Resources by November 15, 1983, and that a final report shall be provided by January 15, 1984.

Laid over under Rule 25.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 13, 1983, he approved and transmitted to the Secretary of State the following bills:

House File 628, an act relating to county finances by requiring annual budgets and reports, consolidating funds and levies and establishing levy limitations, expanding the duties and tenure of the county finance committee, providing for current and non-current debt, making coordinating amendments, and continuing certain penalties.

Senate File 223, an act relating to real property loans by increasing the principal amount of the bonds and notes which may be issued by the Iowa Housing Finance Authority under the Iowa Small Business Loan Program, creating residential mortgage marketing and interest reduction programs, and authorizing loan processing fees, and payment reduction fees.

PETITIONS FILED

The following petitions were received and placed on file:

By Harbor of Mills, from thirty-five residents of Montgomery County, opposing House File 625, relating to the funding of substance abuse programs.

By Van Camp of Scott, from thirty constituents opposing the beer and liquor taxing provisions of House File 564.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Nine Girl Scouts from Troop 170, Dubuque, accompanied by Judy Beck and Geri O'Connor. By Jochum of Dubuque.

SUBCOMMITTEE ASSIGNMENTS

House File 654

Finance: Arnould, Chair; Branstad and Halvorson of Webster.

House File 655

Finance: Chiodo, Chair; Jochum and Krewson.

Senate File 56

Finance: Chiodo, Chair; Arnould and Branstad.

Senate File 92

Finance: Chiodo, Chair, Connolly and Krewson.

Senate File 524

Finance: Jochum, Chair; Arnould and Krewson.

Senate File 533

Finance: Connolly, Chair; Branstad and Jochum.

Senate File 537

Finance: Connolly, Chair; Krewson and Norland.

Senate File 541

Finance: Jochum, Chair; Arnould and Krewson.

Senate File 543

Finance: Connolly, Chair; Branstad and Jochum.

Senate File 544

Finance: Halvorson of Webster, Chair; Halvorson of Clayton and Norland.

Senate File 545

Finance: Halvorson of Webster, Chair; Connolly and Krewson.

Senate File 546

Finance: Jochum, Chair; Arnould and Krewson.

Senate File 547

Finance: Halvorson of Webster, Chair; Branstad and Chiodo.

Senate File 548

Finance: Connolly, Chair; Arnould and Krewson.

Senate File 549

Finance: Arnould, Chair; Jochum and Krewson.

Senate File 550

Finance: Arnould, Chair; Branstad and Halvorson of Webster.

Senate File 551

Finance: Jochum, Chair; Arnould and Krewson.

STUDY BILL SUBCOMMITTEE ASSIGNMENT

Study Bill 345

Finance: Halvorson of Webster, Chair; Arnould and Krewson.

The House stood at ease at 8:08 p.m., until the fall of the gavel.

The House resumed session, Speaker Avenson in the chair.

FINAL DISPOSITION OF MOTIONS TO RECONSIDER

By virtue of final adjournment, the following motions to reconsider and amendments filed thereto are no longer valid:

By Stromer of Hancock to House File 74, a bill for an act relating to visitation at state correctional institutions by certain public officials and leaders of a religious community, filed on February 24, 1983, placing out of order amendment H–3277 filed by Stromer, et al., on March 17, 1983.

By Lageschulte of Bremer and Schroeder of Pottawattamie to amendment H–3491 to House File 535, filed on April 5, 1983.

By Hoffmann-Bright of Muscatine and Swartz of Marshall to Senate File 161 (failed to pass the House), a bill for an act to allow a person who is an instructor at a proprietary school of a profession regulated under chapter 147 to serve on the examining board of that profession, filed on April 25, 1983.

By Jay of Appanoose to Senate File 327 (failed to pass the House), a bill for an act to provide for annual recommendations by the commission on compensation, salaries, and expenses of elected state officials, filed on April 14, 1983.

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 14th day of May, 1983, House Files: 42, 69, 176, 241, 313, 343, 514, 532, 562, 613, 617, 622, 623, 626, 627, 630, 631, 634, 635, 636, 637, 638, 640, 641, 643, 644, 645, 646, 650 and 652.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

COMMITTEE TO NOTIFY THE GOVERNOR

Lloyd-Jones of Johnson moved that a committee of three be appointed to notify the Governor that the House was ready to adjourn in accordance with Senate Concurrent Resolution 47.

The motion prevailed and the Speaker appointed as such committee: Lloyd-Jones of Johnson, Menke of O'Brien and Buhr of Polk.

COMMITTEE TO NOTIFY THE SENATE

Zimmerman of Dallas moved that a committee of three be appointed to notify the Senate that the House was ready to adjourn in accordance with Senate Concurrent Resolution 47.

The motion prevailed and the Speaker appointed as such committee: Zimmerman of Dallas, Halvorson of Webster and Schroeder of Pottawattamie.

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 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 Donald D. Avenson
Speaker of the House
State Capitol Building
L O C A L

Dear Don:

Four and one-half months ago today, in my Budget Address to this First Session of the Seventieth General Assembly, I asked legislators to join me in meeting the challenge of leadership. I noted that the challenge demanded that we focus on a common agenda—helping Iowans find jobs; caring for those who cannot look out for themselves; keeping Iowa at the top in education; providing for the public's safety; and lessening the burden of property taxes. Iowans asked for action on that agenda, yet there were no easy answers. Thus, the challenge of leadership which faced us during the past session was to work together to search for solutions.

For my part, I offered a budget and a legislative program which addressed Iowa's problems. It was both wide-ranging and ambitious, offering proposals ranging from high technology development to providing for Iowans in need. But most of all, my program was designed to elicit broad support so that Governor and Legislature, Republican and Democrat, could work together to make Iowa an even better state.

It was a large and, in many ways, demanding agenda. And implementation of that agenda was no easy task. Information was shared, issues debated, new ideas explored, differences of opinion resolved and disagreements acknowledged. Together we worked through the legislative process to shape that agenda into a program for Iowa's future. I am pleased that this First Session of the Seventieth General Assembly did respond in many ways to the challenge of leadership. I can report that much of the agenda outlined in January will become law because of the work of this session.

Still, there were disappointments. Some critical priorities were shelved for this session. Others became off limits to discussion and reasonable compromise. And spending targets were exceeded.

A review of the record of this session, a session of both accomplishment and disappointment, is thus in order.

Jobs for Iowans

With too many Iowans out of work, this session rightly focused on the need to create jobs for Iowans. The immediate job training needs of unemployed Iowa workers were addressed with the passage of the state funds requested for dislocated worker centers. The Iowa Youth Corps will be expanded and the legislature developed an industrial training program for community colleges that has promise if implemented properly.

The legislature also helped stimulate economic development in Iowa by revising our security laws to encourage investment in Iowa. Also, an innovative program to provide more venture capital was enacted. Moreover, Iowa's economy will become more diversified in the future with the creation of a high technology research grant and marketing program, as I requested.

I am also excited about the legislature's approval of additional funding for travel and tourism promotion in Iowa. With a stepped up Iowa Development Commission promotional effort and the introduction of pari-mutuel, hundreds of additional jobs in travel, tourism and recreation could be created in Iowa in the near future. Appropriate action was also taken to double the small business loan program, increase the support for small business development centers, and remove unnecessary financial restrictions on the housing industry. I am also pleased that an Asian office will be created to boost Iowa farm export and farm income. And, finally, funding for the quested capital construction projects will mean thousands of new jobs for Iowans this summer.

I am concerned, however, that this wide-ranging job creation effort may be seriously hindered by the unemployment compensation bill passed by the legislature. That bill would greatly increase employer taxes while including measures that would actually liberalize benefits. I offered a balanced solution to this problem to the legislature at the beginning of the session. I believe that that approach would have made Iowa more attractive for economic development in the future. I am disappointed that the legislature failed to even consider a reasonable compromise on this issue during the closing days of the session.

Energy Relief

I am pleased with the outcome of the legislature's debate on utility reform. By working together, we were able to secure meaningful representation for the consumer in the Commerce Commission. While I was disappointed by the legislature's failure to eliminate rates collected under bond, the utility reform measure does give the Commission the tools needed to carefully review proposed utility rate increases.

The legislature also took an important step in stemming the flow of energy dollars from Iowa by enacting legislation to provide incentives for the development of hydroelectric power in Iowa. Also, the state will save energy and tax dollars with the funding provided for the state building energy conservation program. The legislature's local government energy conservation program will do likewise at the local level.

Next year, the legislature may want to reconsider its failure to provide a tax credit for active solar hot water installations. Such an investment will pay dividends for Iowa's energy future.

Human Needs

As I noted in my budget address, when times are tough, people turn to government, not away from it. My budget recognized that fact by fully funding existing programs for the needy, despite federal cutbacks and rising caseloads. In addition, I asked for continuation of the unemployed parent program and a modest increase in AFDC payment levels. I am pleased that the legislature responded affirmatively to these requests and also took action to reduce welfare fraud. In addition, action to

contain health cost was both significant and prudent. The Health Data Commission will give all Iowans the information they need to hold down health costs. Moreover, changes in child care laws enacted by this legislature will give parents greater assurance when selecting a child care facility for their children.

Public Safety

Public safety has always been one of my top priorities. Legislative action to crack down on child pornography, reform bail bond laws, and increase the criminal investigatory tools of the Department of Public Safety will help maintain Iowa's relatively low crime rate. I am also pleased with legislative efforts to reform our prison system and to increase inmate labor. The legislative initiative creating a separate Department of Corrections should provide more focus for the problems in our prison system while the prison cap modification makes our prison population more manageable.

Despite these criminal justice advances, I am especially disappointed by the failure of the legislature to pass meaningful sentencing reform legislation. I presented a carefully thought out classified sentencing system which would have made sentences more predictable and rational. The legislature will have had three years to study this proposal by the beginning of the next regular session and I hope that action will be taken then to enact it into law. The model drug paraphernalia act, which failed to be passed out of committee this year, also deserves another look next session.

Educational Excellence

Iowans are proud of their schools and steps were taken this year to make them even better:

- Our local schools received a significant funding increase of almost fifty million dollars for fiscal year 1985.

- The critical math/science and foreign language needs of this and the next generation of Iowans were squarely met with a host of innovative programs.

- Tuition grants and vocational/technical grants were increased to help Iowans attend the school of their choice.

- Important Regents capital projects received authorization and funding.

Other significant legislative initiatives included increased incentives for sharing programs and allowing schools to send their high school students to another district. These programs, rather than other legislative proposals which would have reduced local educational control, will help provide the resources necessary to maintain Iowa's educational excellence.

Agricultural/Natural Resource Protection

The legislature was wise to take action to help stem soil erosion in this state. My requests for an innovative soil conservation loan program and full funding for the cost-

share program met legislative approval. In addition, the radioactive waste compact and the land use funding for counties which were approved by the legislature will help protect Iowa's farmland and other natural resources.

Property Tax Relief

One of the keys to my budget and legislative program was to set in motion mechanisms to provide property tax relief for Iowans. The legislature responded by increasing the elderly property tax credit and providing for state funding of the court system. In addition, over forty-two million dollars of property tax relief will be provided in fiscal year 1985 with the legislature's approval of my request for eighty percent school foundation level. However, the legislature did make that relief conditional on a thirty million dollar balance in the general fund.

Unfortunately, no action was taken on the phase-out of the personal property tax. The legislature should act to phase-out this inequitable tax as soon as possible.

Because of the failure to continue the personal property tax phase-out, the fiscal year 1985 targets for property tax relief were not met. Nevertheless, the school foundation level and court reform property tax commitments for the future are significant and those commitments should be kept.

The legislature also took other important action:

- acted on local government priorities by requiring fair play information mandates, reforming county finances and beginning an innovative community development program.

- recognized transportation needs by preserving abandoned railroad corridors, reducing potential tort claim losses to the road fund, and providing a funding alternative for those interested in purchasing the east/west Rock Island line.

- provided for appropriate state revenues by increasing the sales tax, and beefing up the minimum tax so that all Iowans pay their fair share of taxes.

I am concerned that the legislature overspent my recommended appropriation levels by over twelve million dollars. In addition, many of the budget cuts made by the legislature came from utility and fuel cost savings that may not be realized. Therefore, a careful scrutiny of all appropriation items must be made to pare back expenditures where possible. Also supplementals for fiscal year 1984 must be kept to a minimum.

I ended my budget message in January by stating that I believed we were up to the challenge of leadership. Indeed, we have completed much of the agenda I presented to you on that day. In addition, important legislative initiatives — job training, Department of Corrections, elimination of housing finance restrictions, tort claims limits, and local energy programs, to name just a few — were enacted. Together, we have accomplished much.

However, important work remains to be done. Sentencing reform, motor vehicle enforcement coordination, personal property tax phase-out, and solar and alcohol energy incentives all remain for legislative consideration. Moreover, the unbalanced unemployment compensation package will deserve further attention.

Having spent the last decade as a legislator and Lieutenant Governor, I understand the demands and pressures felt by Senators and Representatives during this past session. And, I recognize that sometimes it takes a little time to nurture good ideas. As we look ahead and not back, I intend to mix persistence with patience in working for progress in any way that I can and I will again ask you and your colleagues to join me in meeting the challenge of leadership.

Thank you and have a good summer.

Very truly yours,
Terry E. Branstad
Governor

The report was received and the committee discharged.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber for a portion of Thursday, May 12, and May 13 and 14, 1983. Had I been present, I would have voted "aye" on House Files 241, 343, 562, 613, 634, 637, 638, 652 and 658; amendment H—4223 to House File 637; insist on amendment to House File 562; Senate Files 56, 73, 92, 178, 386, 461, 524, 533, 537, 543, 544, 545, 547, 548, 549, 551, 552, 553 and 556; and amendment H—4210 to Senate File 537; and "nay" on Senate File 531 and amendments H—4232 to Senate File 556; H—4216 and H—4184 to Senate File 551; H—4221, H—4196E, H—3230A, H—3230E and H—3266 to Senate File 92; H—4245, H—4247, H—4248, H—4249 and H—4250 to House File 637; H—4176 to Senate File 524 and to recede from the amendment to Senate File 543.

BAXTER of Des Moines

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1983-28	Northwestern College, Orange City — centennial
1983-29	Town of Alton — centennial
1983-30	City of Hinton — centennial

JOSEPH O'HERN
Chief Clerk of the House

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 47, duly adopted, the day of May 14, 1983 having arrived, the Speaker of the House of Representatives declared the 1983 Regular Session of the Seventieth General Assembly adjourned.

AMENDMENTS FILED

Amendments filed during the Seventieth General Assembly, 1983 Session, not otherwise printed in the House Journal.

H–3030

Amend House Resolution 3 as follows:
1. Page 23, line 17, by inserting after the word "only" the words ", except an amendment to strike everything after the enacting clause and insert new text".

FEY of Scott

H–3048

Amend House File 46 as follows:
1. Page 1, line 16, by striking the word "Four" and inserting in lieu thereof the word "Three".

Committee on Agriculture

H–3050

Amend House File 60 as follows:
1. Page 1, by striking lines 10 through 13 and inserting in lieu thereof the words "for more than one hundred twenty days. If the ownership of the business changes after the initial advertisement of the sale, the one hundred twenty day sale limit applies from the date of the initial advertisement. A person who is convicted of violating this paragraph is guilty of a serious misdemeanor."
2. Amend the title, line 3, by inserting after the word "operations" the words "and providing a penalty".

SPEAR of Lee

H–3052

Amend House File 33 as follows:
1. By striking everything after the enacting clause and inserting in lieu thereof the following:
"Section 1. Section 297.5, unnumbered paragraph 2, Code 1983, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:
For the purpose of this section, "improvement of sites" includes preparation of the land for school

district use; demolition work; and special assessments against the school district for capital improvements such as streets, curbs, and drains."

SCHNEKLOTH of Scott
LAGESCHULTE of Bremer
HARBOR of Mills

H–3055

Amend House Concurrent Resolution 7 as follows:

1. Page 1, by inserting before line 1 the words "DIVISION I".

2. Page 2, by striking line 7 and inserting in lieu thereof the following: "remainder would be financed by other funds;

DIVISION II

Whereas, section 262A.3 provides that the state board of regents shall prepare and submit to the general assembly for approval no later than seven days after the convening of each regular annual session of the general assembly a proposed ten-year building program for each institution of higher learning under the jurisdiction of the board, the program to contain a list of the buildings and facilities which the board deems necessary to further the educational objectives of the institutions, with an estimate of the cost of each of the buildings and facilities referred to and an estimate of the maximum amount of bonds which the board expects to issue under chapter 262A during each year of the ensuing biennium; and

Whereas, the state board of regents prepared and within seven days after the convening of the Seventieth General Assembly of the State of Iowa, First Session, submitted to the Seventieth General Assembly, First Session, for approval the proposed ten-year building program for each institution containing a list of the buildings and facilities which the board deems necessary to further the educational objectives of the institutions, together with an estimate of the cost of each of the buildings and facilities referred to therein and an estimate of the maximum amount of bonds which the board expects to issue under the provisions of chapter 262A for each year of the fiscal biennium beginning July 1, 1983, and ending June 30, 1985; and

Whereas, the projects contained in the building program are deemed necessary for the proper performance of the instructional, research, and service functions of the institutions; and

Whereas, section 262A.4 provides that the state

board of regents, after authorization by a constitutional majority of each house of the general assembly and approval by the governor, may undertake and carry out at the institutions of higher learning under the jurisdiction of the board any project as defined in chapter 262A; and

Whereas, chapter 262A authorizes the state board of regents to borrow money and to issue and sell negotiable revenue bonds to pay all or any part of

Page 2

the cost of carrying out the projects at any institution payable solely from and secured by an irrevocable pledge of a sufficient portion of the student fees and charges and institutional income received by the particular institution; and

Whereas, to further the educational objectives of the institutions, the state board of regents requests authorization to undertake and carry out certain of the projects at this time and to finance their cost by borrowing money and issuing negotiable bonds under chapter 262A in a total amount not to exceed ninety-seven million eight hundred thousand (97,800,000) dollars, the remaining cost of the projects to be financed by capital appropriations or by federal or other funds lawfully available; *Now Therefore*,"

3. Page 2, by inserting after line 27 the following:

"*Be It Further Resolved*, That the proposed ten-year building program submitted by the state board of regents for each institution of higher learning under its jurisdiction, including the estimate of the maximum amount of bonds which the board expects to issue under chapter 262A is approved as follows:

State University of Iowa	$ 132,435,000
Iowa State University of Science and Technology	109,060,000
University of Northern Iowa	27,375,000
Total ten-year program 1983-1993	$ 268,870,000

Be It Further Resolved, That during the biennium which commences July 1, 1983, and which ends June 30, 1985, the maximum amount of bonds which the state board of regents expects to issue under chapter 262A is ninety-seven million eight hundred thousand (97,800,000) dollars, of which sixty-three million six hundred thousand (63,600,000) dollars may be issued during the fiscal year ending June 30, 1984 for the law building construction at the state university of Iowa, the agronomy addition construction

at Iowa state university of science and technology, and the communication arts center—demolition, construction, and equipment at the university of northern Iowa, and the cost of issuance of bonds for the projects, and thirty-four million two hundred thousand (34,200,000) dollars may be issued during the fiscal year ending June 30, 1985 for the projects listed in this resolution after the projects have been specifically authorized by the Seventieth General Assembly, Second Session, and approved by the governor, and this plan of financing is approved; and

Page 3

Be It Further Resolved, That the state board of regents is authorized to undertake and carry out the following projects if approved by the Seventieth General Assembly, Second Session, and approved by the governor, and to pay all or any part of the cost of carrying out the projects by borrowing money and issuing negotiable revenue bonds under the provisions of chapter 262A in a total amount not to exceed forty-two million eight hundred thousand (42,800,000) dollars:

State University of Iowa
- Communications facility, University theatre addition, Field house/Athletic office building equipment
- Fire safety deficiencies
- Chilled water plant—phase V
- Coal-fired boiler
- Chemistry/Botany remodeling
- Planning university hygienic laboratory addition
- Miscellaneous utility system improvements
- Cost of issuance of bonds

Iowa State University of Science and Technology
- Fire safety deficiencies
- Mechanical engineering building equipment
- Coal-fired boiler
- Planning home economics changes
- Planning Gilman hall remodeling
- Planning old veterinary clinic conversion
- Cooling tower replacement
- Central chiller plant addition
- Miscellaneous utility system improvements
- Cost of issuance of bonds

University of Northern Iowa
- Fire safety deficiencies
- Gilchrist hall renovations
- Steam distribution system improvements
- Museum relocation remodeling
- Miscellaneous utility system improvements
- Cost of issuance of bonds"

SCHROEDER of Pottawattamie

H–3079

Amend House File 68 as follows:

1. Page 1, by inserting after line 30 the following new section:

"Sec. . Section 135D.24, Code 1983, is amended by adding after unnumbered paragraph 1 the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Persons whose mobile home taxes are delinquent may pay to the county treasurer part of the delinquent taxes and the county treasurer shall accept payment of part of these delinquent taxes provided that the amount of the payment is equal to the amount of the installment that has been delinquent the longest plus penalties and interest assessed on that delinquent installment."

SPEAR of Lee

H–3082

Amend House File 140 as follows:

1. Page 1, by striking lines 3 through 10 and inserting in lieu thereof the following:

"NEW LETTERED PARAGRAPH. Make a reasonable effort to adopt rules to codify or supersede principles of law or policy lawfully declared by the agency as the basis for its decision in particular cases when both of the following apply:

(1) The principle of law or policy could reasonably be expected to have general applicability.

(2) The principle of law or policy would not otherwise be excluded from the definition of a rule by section 17A.2, subsection 7, paragraphs a through k."

SPEAR of Lee

H–3096

Amend House File 131 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 331.905, subsection 1, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

1. There is created in each county a county compensation board which shall be composed of the members of the board of supervisors, county attorney, auditor, treasurer, recorder, sheriff, and clerk.

Sec. 2. Section 331.905, subsections 2 and 3,

Code 1983, are amended by striking the subsections.

Sec. 3. Section 331.905, subsection 5, Code 1983, is amended to read as follows:

5. The ~~county compensation board shall elect a~~ chairperson ~~and vice chairperson annually from among its membership~~ of the board of supervisors shall act as chairperson of the county compensation board. The county compensation board shall meet at the call of the chairperson or upon written request of a majority of its membership. The concurrence of a majority of the members of the county compensation board shall determine any matter relating to its duties. The county compensation board shall select one member to record official actions taken by the county compensation board.

Sec. 4. Section 331.907, subsections 1 and 2, Code 1983, are amended to read as follows:

1. The annual compensation of the auditor, treasurer, recorder, clerk, sheriff, county attorney, and supervisors shall be determined as provided in this section. The county compensation board ~~annually~~ during August and September of each even-numbered year shall meet as necessary to review the compensation paid to comparable officers in other counties of this state, other states, private enterprise, and the federal government. The county compensation board shall prepare a recommended compensation schedule for the elective county officers. Following completion of the compensation schedule, the county compensation board shall publish the compensation schedule in a newspaper having general circulation throughout the county. The publication shall also include a public notice of the date and location of a hearing to be held by the county compensation board not less than one week nor more than three weeks from the date of notice. Upon completion of the public hearing, the county compensation board shall prepare a final compensation schedule recommendation.

2. ~~Annually during the month of December~~ Not later

Page 2

than September 30 of each even-numbered year, the county compensation board shall transmit its recommended compensation schedule for the succeeding fiscal biennium to the board of supervisors. The board of supervisors shall review the recommended compensation schedule and determine the final compensation schedule for the elected county officers which shall not exceed the recommended compensation schedule. In determining the final compensation

schedule if the board of supervisors wishes to reduce the amount of the recommended compensation schedule, the annual salary or compensation of each elected county officer shall be reduced an equal percentage. The final biennial compensation schedule shall be adopted by the board of supervisors not later than October 15 of each even-numbered year. A copy of the final compensation schedule adopted by the board of supervisors shall be filed with the county budget at the office of the state comptroller. The final compensation schedule takes effect on July 1 following its adoption by the board of supervisors.

Sec. 5. Section 331.321, subsection 1, paragraph n, Code 1983, is amended by striking the paragraph.

Sec. 6. Section 331.502, subsection 33, Code 1983, is amended by striking the subsection.

Sec. 7. EXPIRATION OF TERMS. The terms of members of the county compensation board serving unexpired terms immediately before the effective date of this Act expire on the effective date of this Act.

Sec. 8. Section 331.906, Code 1983, is repealed.

Sec. 9. This Act takes effect July 1, 1984."

SCHNEKLOTH of Scott

H–3102

Amend House File 118 as follows:

1. Page 1, line 31, by striking the word "or" and inserting in lieu thereof the word "of".

MENKE of O'Brien

H–3104

Amend House File 131 as follows:

1. Page 1, by inserting after line 27 the following:

"Sec. . Section 331.907, subsection 2, Code 1983, is amended to read as follows:

2. Annually during the month of December, the county compensation board shall transmit its recommended compensation schedule to the board of supervisors. The board of supervisors shall review the recommended compensation schedule and determine the final compensation schedule for the elected county officers which shall not exceed the recommended compensation schedule. In determining the final compensation schedule if the board of supervisors wishes to reduce the amount of the recommended compensation schedule, the recommended increase in

the annual salary or compensation of each elected county officer, if any, shall be reduced an equal percentage. A copy of the final compensation schedule adopted by the board of supervisors shall be filed with the county budget at the office of the state comptroller. The final compensation schedule takes effect on July 1 following its adoption by the board of supervisors."

2. By renumbering sections to conform to this amendment.

3. Amend the title, line 1, by inserting after the words "membership of" the words ", the reduction of an increase in a compensation schedule proposed by,".

STROMER of Hancock

H–3111

Amend House File 196 as follows:

1. Page 6, line 33, by striking the words "doctor in charge of" and inserting in lieu thereof the words "~~doctor in charge of~~ radiologist or pathologist using".

SPEAR of Lee

H–3112

Amend House File 196 as follows:

1. Page 10, line 8, by striking the word "The" and inserting in lieu thereof the words "It is intended that the".

2. Page 10, line 10, by striking the word "shall".

SPEAR of Lee

H–3118

Amend House File 157 as follows:

1. Page 1, by striking lines 3 through 7 and inserting in lieu thereof the following:

"~~321.377 SPEED OF SCHOOL BUS. No motor vehicle in use as a school bus shall be operated at a speed in excess of fifty-five miles per hour on any fully controlled access, divided, multilaned highways, interstate highways or on any four lane primary highway.~~"

WELDEN of Hardin

H–3124

Amend House File 46 as follows:

1. Page 3, by inserting after line 28 the following:

"7. Notwithstanding subsection 5, if an adjoining landowner maintains a livestock operation, then that landowner is responsible for maintaining the partition fence."

2. By renumbering subsections as necessary.

BENNETT of Ida

H–3131

Amend House Concurrent Resolution 11 as follows:

1. Page 1, by striking lines 15 through 22 and inserting in lieu thereof the following: "*Senate Concurring,* That the public interest will be served if all traffic generated by industries on the entire East-West Rock Island main line across Iowa is preserved for the operation of the same rail line, and the bankruptcy court is requested to take into account the public interest when making disposition of the property of the Rock Island Railroad; and

Be It Further Resolved, That the bankruptcy court is requested to require that the successful bidder allow trackage rights over the intersection of the north-south, east-west line and five miles either side of that intersection, and that the successful bidder allow originating, terminating, and overhead traffic for any other rail company at a reasonable fee."

SCHROEDER of Pottawattamie
DODERER of Johnson
WOODS of Polk
PARKER of Jasper
CARL of Poweshiek
LLOYD-JONES of Johnson
BRANSTAD of Winnebago
HARBOR of Mills
PELLETT of Cass
ANDERSON of Audubon
PAVICH of Pottawattamie

H–3142

Amend House File 144 as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 96.7, subsection 3, paragraph a, subparagraph (2), Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The amount of benefits paid to an individual, which is solely due to the

backward movement of the individual's base period under section 96.19, subsection 16, because of the receipt of workers' compensation benefits, shall be charged against the account of the employer responsible for making the weekly workers' compensation benefits for temporary total disability or during a healing period under section 85.33, section 85.34, subsection 1, or section 85A.17, or under a similar workers' compensation law of the United States."

2. Page 1, line 20, by striking the words "Section 1 of this" and inserting in lieu thereof the word "This".

3. By renumbering as necessary.

Committee on Labor and Industrial Relations

H–3148

Amend House File 26 as follows:

1. Page 1, line 3, by striking the word "any" and inserting in lieu thereof the following: "not more than twenty percent of the".

BLANSHAN of Greene

H–3158

Amend House File 215 as follows:

1. Page 1, line 15, by inserting after the word "signs." the words "However, before a ticket with a monetary fine can be given to a motor vehicle for parking on the wrong side of the street, a twelve hour warning ticket must first be placed on the motor vehicle."

SCHROEDER of Pottawattamie

H–3161

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 3 through 5.
2. Page 1, by striking lines 10 and 11.
3. Page 1, by striking lines 22 through 33.
4. Page 4, line 22, by striking the word "section" and inserting in lieu thereof the word "section."
5. Page 4, by striking lines 23 through 24.
6. Page 4, by striking lines 28 through 29 and inserting in lieu thereof the words "to the race or race meeting."
7. Page 5, by striking lines 7 through 35.

8. Page 6, by striking lines 1 through 28.
9. Page 7, by striking lines 20 through 26.
10. Page 7, by striking line 30 and inserting in lieu thereof the following: "as provided by section 99D.19."
11. Page 8, by striking line 31.
12. Page 10, by striking line 35 and inserting in lieu thereof the words "the pari-mutuel system of wagering is used."
13. Page 11, by striking line 1.
14. Page 11, by striking lines 3 and 4 and inserting in lieu thereof the words "wagering is permitted."
15. Page 11, by striking lines 8 through 10.
16. Page 12, by striking line 35.
17. Page 13, by striking lines 1 through 16.
18. Page 13, line 20, by striking the following: "chapters 99B and 99D," and inserting in lieu thereof the following: "chapter 99B,".
19. Page 14, by striking lines 5 through 10.
20. Title page, by striking line 1 and inserting in lieu thereof the words "An Act creating a".
21. Renumber as necessary.

HUGHES of Union

H–3162

Amend House File 314 as follows:
1. Page 1, line 6, by inserting after the word "directors" the words "of a school district in which a schoolhouse was destroyed in 1982 by an explosion and fire".
2. Page 2, line 15, by striking the word "The".
3. Page 2, by striking lines 16 through 22.

MENKE of O'Brien
MAULSBY of Calhoun

H–3164

Amend House File 215 as follows:
1. Page 1, line 8, by inserting after the word "city." the words "However, a motor vehicle shall not be in violation of the ordinance unless the driver had actual notice of the ordinance."

HUMMEL of Benton

H–3165

Amend House File 215 as follows:

1. Page 1, line 15, by inserting after the word "signs." the words "This subsection applies only to cities with a population of less than one thousand."

HUMMEL of Benton

H–3167

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 13, by striking the words "dog racing and".

2. Page 1, line 23, by striking the words "or dog-race".

3. Page 1, line 25, by striking the words "or dog-race".

4. Page 1, line 31, by striking the words "or dog".

5. Page 1, line 33, by striking the words "or dog-race".

6. Page 2, line 31, by striking the words "or dog".

7. Page 3, line 21, by striking the words "OR DOG".

8. Page 3, line 26, by striking the words "livestock, horse, or dog" and inserting in lieu thereof the words "livestock or horse".

9. Page 3, line 28, by striking the words "or dog".

10. Page 3, line 30, by striking the words "or dog-race".

11. Page 4, by striking line 7 and inserting in lieu thereof the words "permit horse racing of various types."

12. Page 4, line 8, by striking the words "and horse racing."

13. Page 5, line 14, by striking the words "or dog".

14. Page 5, line 17, by striking the words "or dogs".

15. Page 5, line 22, by striking the word "or".

16. Page 5, line 23, by striking the word "dog".

17. Page 5, line 25, by striking the words "or dogs".

18. Page 5, line 28, by striking the words "or dog".

19. Page 5, line 30, by striking the words "or dogs".

20. Page 5, line 32, by striking the words "or dogs".
21. Page 6, line 1, by striking the words "or dogs".
22. Page 6, by striking line 9.
23. Page 6, line 10, by striking the words and figure:
"1. In horse races the breakage".
24. Page 6, by striking lines 13 through 22.
25. Page 7, line 15, by striking the words "or

Page 2

dog-race".
26. Page 8, line 24, by striking the words "OR DOG".
27. Page 9, line 24, by striking the words "OR DOGS".
28. Page 9, line 26, by striking the words "or dogs whelped".
29. Page 9, line 28, by striking the words "or dogs".
30. Page 9, line 29, by striking the word "or".
31. Page 9, by striking lines 30 and 31 and inserting in lieu thereof the words "in the race limited to Iowa foaled horses shall be used to promote the horse breeding".
32. Page 7, line 32, by striking the word "industries" and inserting in lieu thereof the word "industry".
33. Page 10, line 1, by striking the words "and dog".
34. Page 10, line 2, by striking the word "horse" and inserting in lieu thereof the word "horse."
35. Page 10, by striking line 3.
36. Page 10, line 22, by striking the word "or".
37. Page 10, line 23, by striking the word "dogs".
38. Page 11, line 14, by striking the words "OR DOGS".
39. Page 11, line 17, by striking the words "or dog".
40. Page 11, line 18, by striking the words "or dog".
41. Page 11, by striking line 23 and inserting in lieu thereof the following: "to run in a race. The owners of a horse and".
42. Page 11, line 27, by striking the words "or dog".
43. Page 11, line 28, by striking the words "or dog".
44. Page 14, line 9, by striking the words "or

dog".
45. Title page, line 4, by striking the words "and dog".
46. Renumber as necessary.

MILLER of Woodbury

H–3168

Amend House File 80 as follows:
1. Page 1, by inserting after line 26 the following:
"Sec. 3. Section 462.22, Code 1983, is amended to read as follows:
462.22 ELECTIONS – HOW CONDUCTED. After the first election of trustees, the trustees shall act as judges of election; ~~the~~ however, a trustee standing for election shall not serve as a judge and shall be replaced as judge by a person not standing for election who is eligible to be elected as a trustee. The clerk of the board shall act as one of the clerks; and some owner of land in the district shall be appointed by the board to act as another clerk. The trustees shall fill all vacancies in the election board. The result of each election shall be certified to the auditor or the several county auditors if the district is located in more than one county."

SPEAR of Lee

H–3174

Amend House File 299 as follows:
1. Page 1, by inserting after line 12 the following:
"Sec. 10. Section 98.8, subsection 1, Code 1983, is amended to read as follows:
1. Stamps shall be sold by and purchased from the department. The department shall sell stamps to the holder of a state distributor's permit which has not been revoked and to no other person. Stamps shall be sold to the permit holders at a discount of ~~not to exceed five~~ two percent of the face value. Stamps shall be sold in unbroken books of one thousand stamps, unbroken rolls of thirty thousand stamps, or unbroken lots of any other form authorized by the director."
2. Page 4, by striking line 9 and inserting in lieu thereof the following:
"Sec. 5. Sections 1 and 10 of this Act are effective July 1, 1983."

3. Title page, line 7, by inserting after the word "held" the words ", and setting the discount percent on the sale of tax stamps".

4. By numbering, renumbering and correcting internal references as necessary.

DODERER of Johnson

H–3176

Amend the amendment, H–3142, to House File 144 as follows:

1. Page 1, line 13, by striking the word "making" and inserting in lieu thereof the word "paying".

STURGEON of Woodbury

H–3180

Amend House File 116 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 601A.6, subsection 5, paragraph d, Code 1983, is amended to read as follows:

d. Any bona fide religious institution or its educational facility, association, corporation or society with respect to any qualifications for employment based on religion when ~~such~~ the qualifications are related to a bona fide religious purpose. A religious qualification for instructional personnel or an administrative officer, serving in a supervisory capacity of a bona fide religious educational facility or religious institution, shall be presumed to be a bona fide occupational qualification. A religious qualification for all personnel of a child foster care facility, child placing agency or a social service agency operated by a bona fide religious institution, association, corporation, or society shall be presumed to be a bona fide occupational qualification."

DIEMER of Black Hawk

H–3193

Amend House File 312 as follows:

1. Page 23, by inserting after line 23 the following:

"Sec. . NEW SECTION. 476.37 EMERGENCY RATE ORDERS. Notwithstanding any section of this chapter, the commission is authorized to issue emergency rate

orders in order to prevent injury to a public utility or any other person. The emergency rate order may alter or amend any existing rate or establish a new rate.

Any emergency rate order is effective immediately. Any public utility or the consumer advocate may file a written objection to the emergency rate order within fifteen days of its effective date. If the written objection is timely filed, the commission shall hold a hearing and issue an order within thirty days. The filing of the written order does not stay the effectiveness of the emergency rate order, but the commission may after hearing, modify the emergency rate order for future periods. An order issued after hearing is effective immediately and is a final order for purposes of judicial review."

2. Renumber as necessary.

SCHROEDER of Pottawattamie

H–3194

Amend House File 312 as follows:

1. Page 14, line 25, by inserting after the word "expenses" the words "over a reasonable period of time".

CHIODO of Polk
SCHROEDER of Pottawattamie

H–3201

Amend House File 312 as follows:

1. Page 19, line 19, by inserting after the word "council." the following: "The written notice shall advise the customer that the customer may also be eligible for assistance through the shutoff regulation board and the notice shall contain the address for the board."

2. Page 19, by striking lines 29 through page 20, line 4, and inserting in lieu thereof the following:

"3. a. A shutoff regulation board is established. Within sixty days after the general assembly convenes in regular session in each odd-numbered year, the following members shall be appointed to the shutoff regulation board:

(1) One member from the house standing committee on finance appointed by the speaker of the house.

(2) One member from the senate standing committee on finance appointed by the president of the senate.

(3) Two members from the energy policy council, one from each party, appointed by the governor.

(4) The consumer advocate.

Notwithstanding chapter 69, the term of office shall commence on November 1 of the year of appointment and shall continue for two years or until a successor is appointed.

b. A residential customer of a public utility which furnishes gas or electricity, who has received notice of pending disconnection of service from the public utility, may submit a written complaint to the shutoff regulation board. The board shall investigate the filed complaints and may approve payment of the customer's account from the shutoff regulation board fund. The shutoff regulation board shall arrange with the customer for the customer to repay the customer's account to the board. Moneys received in repayment of accounts shall be deposited in the shutoff regulation board fund.

c. The shutoff regulation board fund is created. There is appropriated from the general fund of the state moneys sufficient for the payment of customers' accounts as authorized by the shutoff regulation board."

DAVITT of Warren
COCHRAN of Webster
HAVERLAND of Polk

H–3226

Amend House File 378 as follows:

1. Page 1, line 8, by striking the words "or is now" and inserting in lieu thereof "~~or is now~~".

SPEAR of Lee

H–3227

Amend House File 378 as follows:

1. Page 1, by striking lines 3 through 6, and inserting in lieu thereof the following:

"70.1 APPOINTMENTS AND ~~PROMOTIONS~~ EMPLOYMENT. In ~~every public department and upon all public works in the state, and of the counties, cities, and school corporations thereof~~ the employment of persons by a public employer, honorably discharged men and women from".

LLOYD-JONES of Johnson

H–3236

Amend House File 378 as follows:

1. Page 1, line 8, by striking the words "was or is now" and inserting in lieu thereof the words "~~was or is now~~ has been".

SPEAR of Lee

H–3237

Amend House File 233 as follows:

1. Page 1, by striking lines 3 through 16 and inserting in lieu thereof the following:

"NEW SUBSECTION. Notwithstanding the requirement in subsection 3 to credit to the special railroad facility fund established in section 307B.23 moneys received as payment for delinquent property taxes or received from the disposal of real estate transferred as payment for delinquent property taxes, the Iowa railway finance authority shall pay to the appropriate county treasurer funds to be distributed to the appropriate taxing districts. The funds paid by the authority shall be proportionate to the county's share out of all delinquent property taxes collected through whatever settlements are reached with the taxpayer. For delinquent property taxes due before July 1, 1983, that are collected by the department in any manner, the railway finance authority shall make payments to the county treasurers beginning July 1, 1993, from funds available in the special railroad facility fund and from other funds either available to the authority or expected to become available, to the extent not otherwise required or pledged for repayment of obligations issued or undertaken by the authority in fulfilling its responsibilities, the payments to continue until all delinquent property tax payments so collected are forwarded to the appropriate county treasurer including interest calculated at not more than two percent per year calculated from the period beginning five years after the date when collections were received by the department. All delinquent property taxes that become due after July 1, 1983 and for which payments are collected by the department shall be refunded to the appropriate county treasurers on a similar basis beginning ten years after the payments are collected."

LLOYD-JONES of Johnson

H–3238

Amend House File 206 as follows:

1. Page 1, by striking line 8 and inserting in lieu thereof the following: "equipped with a windshield or a side or rear window which is".

SPEAR of Lee

H–3240

Amend Senate File 96 as passed by the Senate, as follows:

1. Page 1, by inserting before line 1 the following:

"Section 101. NEW SECTION. 321.446 CHILD RESTRAINT DEVICES.

1. A child under two years of age who is being transported in a car or pickup shall be secured during transit by a child restaint system which meets federal motor vehicle safety standards and the system shall be used in accordance with the manufacturer's instructions.

2. A child at least two years of age but under five years of age who is being transported in a car or pickup shall be secured during transit by either a child restraint system that meets federal motor vehicle safety standards and used in accordance with the manufacturer's instructions, or by a safety belt or safety harness of a type required and approved under section 321.445.

3. This section does not apply to nonresidents of Iowa or to peace officers acting on official duty. This section also does not apply to the transportation of children in vehicles which are not required under section 321.445 to have safety belts or safety harnesses.

4. The operator who violates this section is guilty of a misdemeanor and subject to the penalty provisions of section 106 of this Act.

5. A person who is first charged for a violation of this section shall not be convicted if the person produces in court, within a reasonable time, proof that the person has purchased or otherwise acquired a child restraint system which meets federal motor vehicle safety standards.

6. Failure to use a child restraint system, safety belts, or safety harnesses as required by this section is not contributory negligence nor is the failure admissible as evidence in a civil action.

Sec. 102. Section 321.1, subsection 2, Code 1983,

is amended to read as follows:

2. a. "Motor vehicle" means every vehicle which is self-propelled but not including vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires, but not operated upon rails. ~~The terms "car," "new car," "used car" or "automobile" shall be synonymous with the term "motor vehicle."~~

b. "Used motor vehicle" or "second-hand motor vehicle" means any motor vehicle of a type subject

Page 2

to registration under the laws of this state which ~~have~~ has been sold "at retail" as defined in chapter 322 and previously registered in this or any other state.

c. "New car" means every ~~motor vehicle designed primarily for carrying nine passengers or less, excluding motorcycles,~~ car which has not been sold "at retail" as defined in chapter 322.

d. "Used car" means every ~~motor vehicle designed primarily for carrying nine passengers or less, excluding motorcycles,~~ car which has been sold "at retail" as defined in chapter 322 and previously registered in this state or any other state.

e. "Car" or "automobile" means every motor vehicle designed primarily for carrying nine passengers or less, excluding motorcycles, motorized bicycles, and snowmobiles.

Sec. 103. Section 321.210, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall not consider or assess any points for violations of section 321.446, in determining a license suspension under this section.

Sec. 104. Section 321.445, unnumbered paragraph 5, Code 1983, is amended to read as follows:

Failure to use seat belts installed in a motor vehicle ~~shall~~ is not ~~be~~ a crime or a public offense except as provided in section 321.446.

Sec. 105. Section 321.555, subsection 2, Code 1983, is amended to read as follows:

2. Six or more of any separate and distinct offenses within a two-year period in the operation of a motor vehicle which are required to be reported to the department by section 321.207 or chapter 321C, except equipment violations, violations of parking regulations of cities, violations of registration laws, violations of section 321.446, operating a vehicle with an expired license or permit, failure

to appear, ~~and~~ weights and measures violations and speeding violations of less than fifteen miles per hour over the legal speed limit.

Sec. 106. Section 805.8, subsection 2, Code 1983, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. For failing to secure a child with a child restraint system, safety belt, or harness in violation of section 321.446, the scheduled fine is twenty dollars."

2. Page 1, by inserting after line 7 the following:

"Sec. . Sections 101 through 106 of this Act

Page 3

take effect January 1, 1984."

3. Amend the title, by striking line 1 and inserting in lieu thereof the following: "An Act relating to motor vehicle law by repealing Iowa's guest statute, by requiring children under the age of five being transported in cars or pickups to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective dates."

4. By renumbering sections and internal references as necessary.

LLOYD-JONES of Johnson

H–3241

Amend Senate File 288 as passed by the Senate, as follows:

1. Page 1, by striking lines 7 through 10 and inserting in lieu thereof the following: "computed under ~~the provisions of~~ this chapter, ~~except that the credit shall not exceed what the amount of the Iowa tax would have been on the same income which was taxed by the other state or foreign country~~ subject to limitation. The limitation on this credit".

SPEAR of Lee

H–3245

Amend House File 293 as follows:

1. Page 1, line 2, by striking the word "chapter" and inserting in lieu thereof the word "Act".

2. Page 1, line 7, by inserting after the words "municipalities" the words "as of March 1, 1983".

3. Page 1, lines 8 and 9, by striking the words "and historical" and inserting in lieu thereof the

words "historical and cultural".

4. Page 1, line 14, by inserting after the word "area" the words "by preserving its historical and cultural quality".

5. Page 1, by inserting after line 28 the following:

"3. That the territory to be embraced in the district has a distinctive historical and cultural character which might be preserved by the establishment of the district."

6. Page 2, line 1, by striking the word "chapter" and inserting in lieu thereof the word "Act".

7. Page 2, line 3, by striking the word "chapter" and inserting in lieu thereof the word "Act".

8. Page 5, line 4, by striking the word "chapter" and inserting in lieu thereof the word "Act".

9. Page 5, line 10, by striking the word "chapter" and inserting in lieu thereof the word "Act".

10. Page 5, line 29, by striking the word "chapter" and inserting in lieu thereof the word "Act".

11. Page 6, line 14, by striking the word "chapter" and inserting in lieu thereof the word "Act".

12. Page 6, by inserting after line 26 the following:

"4. When the initial board of trustees is elected under this section the trustees shall be ranked in the order of votes received from highest to lowest. Any ties shall be resolved by a random method. The last ranked trustee shall receive an initial term expiring at the next annual election for trustees in September, the sixth and fifth ranked trustees receive an initial term expiring one year later, the fourth ranked trustee receives an initial term expiring two years after that election, the third and second ranked trustees receive initial terms expiring three years after that election, and the first ranked trustee shall receive an initial term expiring four years after that election."

13. Page 7, lines 1 and 2, by striking the word "chapter" and inserting in lieu thereof the word "Act".

14. Page 7, line 10, by striking the word "chapter" and inserting in lieu thereof the word "Act".

Page 2

15. Page 7, by striking lines 11 through 15.

16. Page 7, line 17, by striking the word "chapter" and inserting in lieu thereof the word "Act".

17. Page 8, line 6, by inserting after the word "the" the words "distinctive historical and cultural".

18. Page 8, by striking lines 7 through 9 and inserting in lieu thereof the words "of the district. The ordinances,".

19. Page 9, line 27, by striking the word "chapter" and inserting in lieu thereof the word "Act".

20. Page 10, line 14, by striking the word "chapter" and inserting in lieu thereof the word "Act".

21. Page 10, line 25, by striking the word "chapter" and inserting in lieu thereof the word "Act".

22. Page 11, line 4, by striking the word "chapter" and inserting in lieu thereof the word "Act".

23. Page 12, line 5, by striking the word "chapter" and inserting in lieu thereof the word "Act".

24. Page 12, line 6, by striking the word "chapter" and inserting in lieu thereof the word "Act".

25. Page 12, line 16, by striking the word "chapter" and inserting in lieu thereof the word "Act".

26. Page 13, line 10, by striking the word "chapter" and inserting in lieu thereof the word "Act".

27. Page 13, line 13, by striking the word "chapter" and inserting in lieu thereof the word "Act".

28. Page 13, line 15, by striking the word "chapter" and inserting in lieu thereof the word "Act".

29. Page 13, line 17, by striking the word "chapter" and inserting in lieu thereof the word "Act".

30. Page 13, line 24, by striking the word "chapter" and inserting in lieu thereof the word "division of chapter 303".

31. Page 13, by striking lines 25 through 34.

Committee on Local Government

H–3246

Amend House File 442 as follows:

1. Page 2, by inserting after line 4 the following:

"Sec. . This Act takes effect July 1, 1984."

2. By numbering the section to conform with this amendment.

O'KANE of Woodbury
CONNORS of Polk

H–3248

Amend House File 395 as follows:

1. Page 1, line 28, by inserting after the word "care." the words "If the industrial commissioner disapproves a claim or a portion of a claim for care provided during the pendency of the proceeding because the care did not meet the reasonable or necessary standards of section 85.27, the employee shall reimburse the employer for the cost or that portion of the cost of the care which did not meet the reasonable or necessary standards."

CONNORS of Polk
STURGEON of Woodbury
COREY of Louisa

H–3249

Amend House File 293 as follows:

1. Page 6, line 25, by striking the word "three" and inserting in lieu thereof the word "paid".

VARN of Johnson

H–3250

Amend House File 135 as follows:

1. Page 1, by striking lines 11 and 12 and inserting in lieu thereof the words "~~shall~~ does not apply to ~~a distributor selling alcoholic liquor to~~ the pick up of beverage containers from the Iowa beer and liquor control department and the payment of the refund value for the containers."

SPEAR of Lee

H–3252

Amend House File 191 as follows:

1. Page 1, line 23, by inserting after the word "disease." the words "The birth defects institute shall assume responsibility for development and implementation of screening and educational programs for sickle cell anemia and other genetic blood disorders."

2. Page 2, line 5, by striking the words "and physicians" and inserting in lieu thereof the words "~~and~~, physicians, and public health nursing departments".

3. Page 2, line 15, by striking the words "medical students," and inserting in lieu thereof the words "~~medical students,~~".

ZIMMERMAN of Dallas

H–3255

Amend House File 118 as follows:

1. Page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter 80B, Code 1983, is amended by adding the following new section:

NEW SECTION. TRAINING STANDARDS FOR SMALL CITY OFFICERS.

1. A person shall not be employed as a law enforcement officer by a city with a population of less than one thousand unless the person meets one of these following requirements:

a. The person has at the minimum an associate degree in criminal justice or police science technology, and in addition to the degree has eighty hours of training at the law enforcement academy the scope and content of which training to be determined by rules to be promulgated pursuant to procedures of section 80B.11, unnumbered paragraph 1.

b. The person meets the minimum basic training requirements applicable to law enforcement officers in cities with populations of one thousand or more.

2. In addition to the requirements of paragraphs a or b of subsection 1 the city council may require further training requirements before a person may be employed by a city with a population of less than one thousand.

3. A law enforcement officer employed by a city with a population of less than one thousand shall not carry a weapon in the line of duty until that person has been approved by the governing body and certified by the Iowa law enforcement academy council. After approval and certification, the law enforcement officer employed by a city with a population of less than one thousand may carry a weapon in the line of duty only when authorized by the city council.

Sec. 2. Section 80B.11, subsection 2, Code 1983, is amended to read as follows:

2. Minimum basic training requirements law enforcement officers employed after July 1, 1968, must complete in order to remain eligible for continued employment and the time within which ~~such~~ the basic training must be completed. The minimum basic training

requirements for law enforcement officers employed by cities with populations of less than one thousand shall be as provided in section 1 of this Act."

2. Renumber as necessary.

MILLER of Woodbury

H–3256

Amend House File 417 as follows:

1. Page 1, by striking lines 5 through 10 and inserting in lieu thereof the following: "advertising device which has been issued a permit under section 306C.18 and is not an advertising device listed under section 306C.11, subsections 1, 2, 4 or 5."

2. Page 1, by striking lines 13 and 14 and inserting in lieu thereof the following: "vided in chapter 472, and may include a reduction of value by reason of the use of the advertising device during a period of amortization. Just compensation does not include payments".

3. Page 1, by striking line 32 and inserting in lieu thereof the following: "of at least six months.

d. The device is a political sign or special event sign placed on private property under sections 306C.22 or 306C.23."

4. Page 1, by inserting after line 32 the following:

"Sec. . This Act does not apply to the removal or taking of an advertising device which is subject to a court proceeding at the time of the Act's enactment."

5. Renumber as necessary.

LLOYD-JONES of Johnson

H–3258

Amend House File 443 as follows:

1. Page 1, line 15, by inserting after the word "resolution." the words "Notwithstanding section 602.55, ninety percent of all fines and forfeited bail collected by the clerk of the district court for violations of this section or violation of any ordinance or resolution adopted under authority of this section shall be deposited in the school fund."

SCHROEDER of Pottawattamie

H–3259

Amend House File 343 as follows:

1. Page 1, line 5, by inserting after the word "birds," the word "pterodactyl,".

2. Page 1, line 18, by inserting after the word "bird," the word "pterodactyl,".

3. Page 1, line 23, by inserting after the word "bird," the word "pterodactyl,".

4. Page 1, line 29, by inserting after the word "bird," the word "pterodactyl,".

5. Page 2, line 2, by inserting after the word "birds," the word "pterodactyls,".

6. Page 2, by inserting after line 8 the following:

"NEW SUBSECTION. The commission shall protect pterodactyls by enforcing a limit of one per day, three per season, on wild pterodactyls."

BLANSHAN of Greene

H–3261

Amend House File 130 as follows:

1. Page 1, by striking lines 22 through 25.

2. Page 1, by striking line 31 and inserting in lieu thereof the following: "government, an agency, or an instrumentality of the Republic of South Africa."

3. Page 2, by striking line 2 and inserting in lieu thereof the following: "its assets to the government, an agency, or an instrumentality of the Republic".

4. Page 2, by striking line 8 and inserting in lieu thereof the following: "the lending of its assets to the government, an agency, or an instrumentality of".

5. Page 2, line 11, by inserting after the word "institution." the following: "The treasurer of state shall adopt rules under chapter 17A to implement this Act including rules to assess civil penalties against a person who files false or misleading documentary evidence. Penalties shall be deposited in the state general fund."

6. Page 2, line 15, by striking the words and number "January 1 following" and inserting in lieu thereof the word and numbers "July 1, 1984."

7. Page 2, by striking line 16.

8. Title page, line 4, by inserting after the word "Africa" the words "and assessing civil penalties".

Committee on State Government

H–3262

Amend House File 417 as follows:

1. Page 1, line 22, by inserting after the word "erected" the words "and maintained".

2. Page 1, line 27, by inserting after the word "erected" the words "or maintained".

LLOYD-JONES of Johnson

H–3265

Amend Senate File 51 as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 85.61, subsection 3, paragraph d, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The president, vice president, secretary, and treasurer of a corporation other than a family farm corporation, but not to exceed four officers per corporation and only if such an officer signs an acceptance of exemption which is witnessed by two disinterested individuals who are not, formally or informally, affiliated with the corporation and which is filed by the corporation with the industrial commissioner on or before sixty days after the first day of employment. ~~For each calendar year thereafter the acceptance of exemption shall be signed and filed~~ or if the officer is not a new employee on or before January 1 for each succeeding calendar year. An acceptance of exemption filed under this section is not enforceable if it is required as a condition of employment. In order to ensure that the acceptance of exemption is knowingly and voluntarily signed, the acceptance of exemption shall be in substantially the following form:

Sec. 2. NEW SECTION. EMPLOYERS' LIABILITY COVERAGE. An insurer which issues a policy of workers' compensation and employers' liability coverage in this state shall not discriminate, in the offering of employers' liability coverage, against a corporate officer excluded from workers' compensation coverage under section 85.61, subsection 3, paragraph d.

An insurer which issues a policy of workers' compensation and employers' liability coverage in this state shall file rates, based on actuarially sound data, with the commissioner of insurance applicable only to employers' liability coverage for those corporate officers excluded from workers'

compensation coverage under section 85.61, subsection 3, paragraph d.

Sec. 3. A corporate officer employed on or before January 1, 1983 who chooses to sign an acceptance of exemption for calendar year 1983 under section 85.61, subsection 3, paragraph d, shall sign, and the corporation shall file, the acceptance of exemption any time on or before December 31, 1983.

Notwithstanding the sixty-day limitation in section 85.61, subsection 3, paragraph d, an acceptance of exemption for a newly employed officer may be signed

Page 2

and filed with the industrial commissioner at any time on or before December 31, 1983.

Sec. 4. This Act, being deemed of immediate importance, takes effect from and after its publication in the Audubon News-Advocate, a newspaper published in Audubon, Iowa, and in the Guthrie Center Times, a newspaper published in Guthrie Center, Iowa."

HUMMEL of Benton

H–3274

Amend House File 271 as follows:

1. Page 1, by inserting after line 13, the following:

"5. "Individual" means a resident of Iowa."

2. Page 1, line 18, by inserting after the word "States" the words ", or individual".

3. Page 1, line 20, by inserting after the word "veteran" the words "or individual".

4. Page 1, line 26, by inserting after the word "veteran" the words "or individual".

5. Page 1, line 28, by inserting after the word "veteran" the words "or individual".

6. Page 1, by striking lines 30 and 31.

7. Page 2, line 6, by striking the word "studies" and inserting in lieu thereof the word "investigations".

8. Page 2, line 8, by striking the words "studies on veterans" and inserting in lieu thereof the words "investigations of veterans or individuals".

9. Page 2, line 13, by inserting after the word "veteran" the words "or individual".

10. Page 2, line 13, by striking the word "studies" and inserting in lieu thereof the word "investigations".

11. Page 2, by inserting after line 13, the

following:

"The department shall cooperate with local and state agencies during the course of an investigation."

12. Page 2, line 15, by inserting after the word "veteran" the words "or individual".

13. Page 2, line 16, by striking the word "studies" and inserting in lieu thereof the word "investigations".

14. Page 2, line 17, by inserting after the word "veteran" the words "or individual".

15. Page 2, line 34, by inserting after the word "veterans" the words "or individuals".

16. Page 3, line 1, by inserting after the word "veterans' " the words "or individuals' ".

17. Page 3, line 3, by inserting after the word "request" the words ", of the licensed physician pursuant to section 139A.2,".

18. Page 3, line 2, by inserting after the word "veterans" the words "or individuals".

19. Page 3, line 4, by inserting after the word "veterans" the words "or individuals".

20. Page 3, line 8, by inserting after the word "government" the words "or the state of Iowa".

21. Page 3, line 7, by inserting after the word "health" the words "or the general assembly".

Page 2

22. Page 3, line 9, by inserting after the word "commissioner" the words "or the general assembly by specific action".

23. Title page, line 1, by striking the word "study" and inserting in lieu thereof the word "investigation".

24. By renumbering as necessary.

Committee on Human Resources

H–3275

Amend House File 352 as follows:

1. Page 1, by striking lines 2 and 3 and inserting in lieu thereof the following: "ESTABLISHED. An area education agency board may submit a proposal to the state board of public instruction for establishment of a teacher center including a request to increase the area educational services cost calculated under section 442.27 by an amount not to exceed three dollars per pupil in enrollment served. The request shall be made not later than December 1 for the establishment of a teacher center on the

next following July 1. The state board shall notify the board of the area education agency not later than February 1 of the approval or disapproval of the proposal. If the proposal is approved, the state board shall direct the state comptroller to provide for the funding of the teacher center for the next following school year pursuant to section 442.27, subsection 7A. Only one teacher center shall be located".

2. Page 1, by inserting after line 24 the following:

"A teacher center policy board shall be selected prior to the submission of the request to the state board of public instruction."

3. Page 3, by inserting after line 22 the following:

"Sec. . NEW SECTION. 273A.11 ABOLISHING A TEACHER CENTER. The policy board may vote at any time to abolish the teacher center effective at the close of the fiscal year. Following the abolishing of the teacher center, the assets of that teacher center shall become assets of the area education agency."

4. Page 3, by striking lines 25 through 29 and inserting in lieu thereof the following:

"NEW SUBSECTION. 7A. For the initial budget year in which a teacher center has been established, the area educational services cost per pupil for that area education agency shall be increased by the amount specified in the proposal and the amount shall become a part of the area educational services cost per pupil for that area. Each year the area education agency shall determine the portion of the total amount funded in the area for educational services that has been raised to fund the teacher center and shall transfer that amount to the account of the teacher center. If a teacher center is abolished under section 273A.11, the area educational services cost per pupil in that area shall be reduced accordingly. The account shall

Page 2

be maintained".

5. Page 4, by inserting after line 4 the following:

"Sec. . The area education agency board of a teacher center in existence prior to the effective date of this Act may submit a proposal for funding for the fiscal year beginning July 1, 1983 to the state board not later than April 1, 1983 and the state board shall act upon the request not later than April 8, 1983."

Sec. . This Act, being deemed of immediate importance, takes effect from and after its publication in the Waterloo Courier, a newspaper published in Waterloo, Iowa, and in the Des Moines Daily Record, a newspaper published in Des Moines, Iowa."

Committee on Education

H–3277

Amend the amendment, H–3047, to House File 74 as follows:

1. Page 1, line 12, by inserting after the word "times" the words "consistent with proper discipline".

STROMER of Hancock
McKEAN of Jones
BRAMMER of Linn

H–3279

Amend House File 491 as follows:

1. Page 1, line 30, by striking the word "compensation," and inserting in lieu thereof the word "compensation".

2. Page 1, line 34, by inserting after the word "shall" the word "also".

3. Page 1, line 35, by striking the word "also".

SPEAR of Lee

H–3280

Amend House File 501 as follows:

1. Page 1, by striking lines 21 through 23 and inserting in lieu thereof the following:

"d. For projects at Living History Farms . . . . . $50,000".

2. Page 1, by inserting after line 23 the following:

"Sec. 2. 1982 Iowa Acts, chapter 1265, sections 1, 2, and 4, are amended to read as follows:

SECTION 1. The funds bequeathed by Mr. Glenn Grover Herrick from his estate are accepted and shall be deposited in a special fund in the state treasury and the principal and interest and earnings of ~~such~~ the funds ~~be~~ are subject to appropriation for the construction of a new state historical building or center. ~~Interest or earnings from the investment of the principal of the special fund shall be appropriated annually, consistent with the terms of~~

~~the bequest, for projects other than a new state historical building or center as selected by the general assembly and approved by the governor upon recommendations by the committee created in section 4 of this Act.~~

SEC. 2. The capitol planning commission ~~shall be~~ is primarily responsible for the planning of the new historical building or center but shall consult with the state historical department, the state historical society, ~~the committee created in section 4 of this Act,~~ and other persons it determines can provide useful information for planning the building or center.

SEC. 4. Interest or earnings from investments of the funds in the special fund shall be credited to the special fund and invested in the manner provided in section 453.7. ~~The governor shall appoint a committee to make recommendations to the general assembly annually regarding the disposition of interest or earnings credited to the special fund that are subject to appropriation for other projects. The committee shall be composed of two members of the senate, two members of the house of representatives and five citizens of the state. Not more than one senator, one representative and three of the citizens, respectively, shall be members of the same political party.~~"

SULLIVAN of Van Buren
DIEMER of Black Hawk

H–3282

Amend Senate File 440, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, by inserting after line 34 the following section:

"Sec. . Section 307.29, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the requirement in subsection 3 to credit to the special railroad facility fund established in section 307B.23 moneys received as payment for delinquent property taxes or received from the disposal of real estate transferred as payment for delinquent property taxes, the state department of transportation shall pay to the appropriate county treasurer to be distributed by the treasurer to the appropriate taxing districts that portion of the funds paid or property transferred to it by a railway company in liquidation of the railway company's delinquent taxes if these taxes

19 became delinquent in a fiscal year beginning before
20 July 1, 1983 and a taxing district had included these
21 taxes in its budget for the fiscal year for which
22 the delinquent taxes were levied."
23 2. Renumber sections and correct internal
24 references as are necessary in accordance with this
25 amendment.

HALVORSON of Clayton

H–3283

1 Amend House File 422 as follows:
2 1. Page 2, by striking lines 1 through 8 and
3 inserting in lieu thereof the following: "the city
4 to join ~~such an~~ that entity has been submitted to
5 and approved by the voters of the city.
6 The proposal shall be submitted at any city election
7 by the council on its own motion. If at any time
8 before the".
9 2. Page 5, by striking lines 10 through 14 and
10 inserting in lieu thereof the following: "agreement,
11 provided that the power of eminent domain is not used
12 to acquire interests in property which is part of
13 a system of facilities in existence, under
14 construction, or planned, for the generation,
15 transmission or sale of electric power. Any interests
16 in property acquired are acquired for".

Committee on Small Business and Commerce

H–3285

1 Amend House File 521 as follows:
2 1. Page 2, line 11 by striking the word "accure" and
3 inserting in lieu thereof the word "accrue".
4 2. Page 2, line 12 by inserting after the word "of"
5 the word "the".

SCHROEDER of Pottawattamie

H–3292

1 Amend House File 169 as follows:
2 1. Page 1, line 5, by inserting after the word
3 "audit." the words "At the request of a county the
4 executive council may extend the one year time
5 limitation imposed by this paragraph upon a finding
6 that the extension is necessary and not contrary to
7 the public interest and that the failure to meet the

deadline was not intentional."

2. Page 1, line 10, by inserting after the word "audit." the words "At the request of a political subdivision subject to this section, the executive council may extend the one year time limitation imposed by this paragraph upon a finding that the extension is necessary and not contrary to the public interest and that the failure to meet the deadline was not intentional."

Committee on Local Government

H–3293

Amend House File 257 as follows:

1. Page 2, line 30, by inserting after the word "orally" the words "followed by a written order".

2. Page 5, by striking lines 4 through 8 and inserting in lieu thereof the following: "on the left rear and right front bumpers of the vehicle a standard abbreviation or symbol, approved by the department of public safety, which indicates liquefied petroleum gas fuel or natural gas is a fuel source for the vehicle."

Committee on State Government

H–3295

Amend House File 508 as follows:

1. Page 2, line 27, by inserting after the word "refund" the words "of more than five hundred dollars".

WOODS of Polk

H–3297

Amend House File 382 as follows:

1. Page 1, by striking lines 9 through 11 and inserting in lieu thereof the following: "the board. The annual salary of an assistant county attorney shall not exceed ~~eighty five percent of the maximum~~ the annual salary of a ~~full time county attorney~~ district court judge."

2. Page 1, by striking lines 16 through 18 and inserting in lieu thereof the following: "set for the county attorney's office by the board. The salary of an assistant county attorney shall not exceed ~~eighty five percent of the maximum~~ the annual salary of a ~~full time county attorney~~ district court judge."

SPEAR of Lee

H–3298

Amend House File 476 as follows:

1. Page 3, line 4, by inserting after the word "render." the words "The commission shall coordinate the development of any rules with the mental health and mental retardation commission to the extent the rules would apply to a facility primarily serving persons who are mentally ill, mentally retarded, or developmentally disabled."

2. Page 3, line 11, by inserting after the word "designee." the following: "The care review committee for any facility caring primarily for persons who are mentally ill, mentally retarded, or developmentally disabled shall only be appointed after consultation with the director of the division of mental health and mental retardation on the proposed appointments."

KREWSON of Polk

H–3299

Amend House File 515 as follows:

1. Page 1, line 4, by inserting after the word "of" the words "not more than".

SPEAR of Lee

H–3302

Amend House File 37 as follows:

1. Page 1, line 2, by striking the words "An employer shall not" and inserting in lieu thereof the following: "No person shall".

2. Page 1, line 4, by striking the words "An employer" and inserting in lieu thereof the following: "A person".

SCHNEKLOTH of Scott

H–3305

Amend House File 422 as follows:

1. Page 5, line 8, by striking the words "then in effect and" and inserting in lieu thereof the words "~~then in effect and~~".

3. Page 5, line 25, by striking the words "then in effect and".

SPEAR of Lee

H–3309

Amend House File 504 as follows:

1. Page 2, line 12, by inserting after the word "individual" the words "not related to the taxpayer by consanguinity or affinity within the second degree,".

2. Page 2, line 15, by striking the word "twenty-".

3. Page 3, line 33, by inserting after the word "individual" the words "not related to the taxpayer by consanguinity or affinity within the second degree,".

4. Page 3, line 35, by striking the word "twenty-".

DAVITT of Warren
SKOW of Guthrie
ANDERSON of Audubon
GRUHN of Dickinson
HANDORF of Marshall

H–3310

Amend House File 37 as follows:

1. Page 1, line 2, by inserting after the word "employment" the words: "or prospective employment".

HANDORF of Marshall
LAGESCHULTE of Bremer
STUELAND of Clinton
PELLETT of Cass

H–3312

Amend House File 502 as follows:

1. Page 1, line 6, by striking the words "two hundred fifty" and inserting in lieu thereof the words "~~two hundred fifty~~ five hundred".

JAY of Appanoose
HANSON of Delaware
PELLETT of Cass

ZIMMERMAN of Dallas
MUHLBAUER of Crawford
PEICK of Linn
KNAPP of Dubuque
COCHRAN of Webster

H–3316

Amend House File 515 as follows:

1. Page 1, line 4, by striking the words "fifteen dollars" and inserting in lieu thereof the words "five dollars or eight percent of the amount of the instrument, whichever is greater,".

MAULSBY of Calhoun

H–3317

Amend House File 502 as follows:

1. Page 1, by adding the following section after line 10:

"Sec. 2. This act, being deemed of immediate importance, takes effect from and after its publication in the Lake City Graphic, a newspaper published in Lake City, Iowa, and in the Quad City Times, a newspaper published in Davenport, Iowa."

MAULSBY of Calhoun

H–3318

Amend House File 515 as follows:

1. Page 1, line 2, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

2. Page 1, by inserting after line 5 the following:

"NEW SUBSECTION. 6. If an instrument is dishonored because of an error by the payor bank or the payor bank failed to timely apply a deposit, then the bank is liable to the maker for the surcharge and any other expenses incurred by the maker as a result of the bank's error."

MAULSBY of Calhoun

H–3319

Amend the amendment H–3301, to House File 37, as follows:

1. Page 1, by striking lines 6 and 7 and inserting in lieu thereof the following: "dealing with peace officers and corrections officers in its employ or with a person applying for employment as a peace officer or corrections officer." "

SPEAR of Lee

H–3325

Amend amendment H–3275, filed to House File 352 as follows:

1. Page 1, by striking lines 29 and 30 and inserting in lieu thereof the following: "TEACHER CENTER. The policy board or the area education agency board may vote to abolish a teacher center effective at the".

SPEAR of Lee
CARTER of Henry

H–3328

Amend House File 396 as follows:
1. Page 1, line 23, by adding after the word "for" the following: "recipient caused".

SCHROEDER of Pottawattamie

H–3329

Amend amendment H–3274 to House File 271 as follows:
1. Page 1, line 6, by striking the words ", or individual" and inserting in lieu thereof the words "or who treats an individual the physician believes may have been exposed to chemicals".

FEY of Scott

H–3330

Amend House File 491 as follows:
1. Page 2, line 16, by inserting after the figure "246.18" the following: ", 246.19,".

SPEAR of Lee

H–3332

Amend House File 520 as follows:
1. Page 3, line 7, by striking the word "The" and inserting in lieu thereof the words and figure "Except as provided in subsection 9, the".
2. Page 3, by inserting after line 15 the following:
"9. Fifteen percent of the money in the fund is appropriated to the department of soil conservation for financial incentives not exceeding seventy-five percent of the approved cost of permanent soil conservation practices under chapter 467A on watersheds above publicly-owned lakes in accordance with a priority list established by the conservation commission and based on soil loss."

STUELAND of Clinton

H–3333

Amend House File 515 as follows:
1. Page 1, line 5, by inserting after the word "instrument." the following: "However, if the maker pays the amount due within ten days of dishonor, then

the surcharge assessed a maker on the instrument shall not exceed the lesser of the amount due on all of the maker's dishonored instruments held by the holder or fifteen dollars."

VARN of Johnson

H–3335

Amend House File 368 as follows:

1. Page 1, line 4, by inserting after the word "for" the words "the storage of grain or for".

2. Page 1, line 17, by inserting after the words "used for" the words "the storage of grain or for".

3. Page 1, by striking lines 24 through 27 and inserting in lieu thereof the words "date. The five-year exemption".

4. Title page, line 3, by inserting after the word "production" the words "or used for the storage of grain".

BENNETT of Ida

H–3336

Amend House File 519 as follows:

1. Page 1, lines 17 and 18, by striking the words "except the United States or the state of Iowa".

SCHROEDER of Pottawattamie

H–3338

Amend House File 519 as follows:

1. Page 3, by striking lines 6 through 11 and inserting in lieu thereof the following: "appropriate, including a mandatory injunction. In an action, it is not necessary that actual damages to the person aggrieved be alleged or proved."

ZIMMERMAN of Dallas

H–3339

Amend House File 519 as follows:

1. Page 2, line 13, by inserting after the word "benefit" the words "based on cost savings to the hospital or health care facility because of differences in service demands or other lawful cost savings or because of differences".

McINTEE of Black Hawk

H–3340

Amend House File 519 as follows:

1. Page 1, by striking lines 9 and 10 and inserting in lieu thereof the words "or health care facilities."

McINTEE of Black Hawk

H–3344

Amend House File 513 as follows:

1. Page 1, line 3, by inserting after the word "person's" the words "name or".

SPEAR of Lee

H–3345

Amend House File 476 as follows:

1. Page 3, line 1, by inserting after the word "commission" the words ", in cooperation with other agencies,".

2. Page 3, line 11, by inserting after the word "designee." the words "Recommendations to the executive director or the director's designee for membership on care review committees are encouraged from any agency, organization, or individual."

COPENHAVER of Buchanan

H–3347

Amend House File 37 as follows:

1. Page 1, line 2, by inserting after the word "require" the words "or request".

ARNOULD of Scott
GRONSTAL of Pottawattamie

H–3348

Amend House File 443 as follows:

1. Page 1, line 15, by inserting after the word "resolution" the words and figure "as provided in section 321.473".

WELDEN of Hardin

H–3349

Amend House File 448 as follows:

1. Page 8, by striking line 31 through page 9,

line 2 and inserting in lieu thereof the following:
"2. A service contract, guarantee or warranty between a residential customer and a service company which will perform the work itself and not through subcontractors for the service, repair or replacement of appliances or electrical, plumbing, heating, cooling or air conditioning systems."

SWARTZ of Marshall
SCHROEDER of Pottawattamie

H–3350

Amend House File 515 as follows:
1. Page 1, line 3, by striking the word "The" and inserting in lieu thereof the following: "If the holder of a dishonored instrument has mailed to the maker, at the maker's last known address, a notice of dishonor and a demand for payment and the maker has not paid the amount due within ten days of the mailing of the notice, then the".
2. Page 1, line 5, by inserting after the word "instrument." the following: "If the maker pays the amount due within ten days of mailing of the notice, the holder may assess a surcharge not to exceed five dollars for each instrument for which the amount due has been paid."
3. Page 1, line 16, by inserting after the word "~~instrument~~" the following: "if prior to commencing the action the plaintiff has mailed to the maker, at the maker's last known address, a notice of dishonor and a demand for payment and the maker had not paid the amount due within ten days of the mailing of the notice".

MILLER of Woodbury

H–3354

Amend House File 443 as follows:
1. Page 1, line 6, by striking the words "or culverts".
2. Page 1, line 14, by striking the words "or culvert".
3. Page 1, line 23, by striking the words "or culvert".

WELDEN of Hardin

H–3356

Amend House File 520 as follows:
1. Page 3, line 3, by striking the word "from" and inserting in lieu thereof the word "after".

SPEAR of Lee

H–3357

Amend House File 520 as follows:
1. By striking page 2, line 3, through page 3, line 1.

SPEAR of Lee

H–3358

Amend Senate File 349 as passed by the Senate as follows:
1. Page 1, line 19, by inserting after the word "of" the words "section 232.142, subsection 5,".
2. Page 1, by inserting after line 19 the following new section:
"Sec. 3. Section 692.2, subsection 3, paragraph a, Code 1983, is amended to read as follows:
a. The data is for official purposes in connection with prescribed duties or required pursuant to section 232.142, subsection 5, section 237.8, subsection 2 or section 237A.5."
3. Page 1, by inserting after line 28 the following new sections:
"Sec. 5. Section 692.3, subsection 2, Code 1983, is amended to read as follows:
2. Notwithstanding subsection 1, paragraph "a", the department of social services may redisseminate criminal history data obtained pursuant to section 692.2, subsection 1, paragraph "c", to persons licensed or approved under chapters 237 and 237A for the purposes of section 232.142, subsection 5, section 237.8, subsection 2 and section 237A.5. Licensees under either chapter 237 or chapter 237A and facilities approved under chapter 232 who receive information pursuant to this subsection shall not use the information other than for purposes of section 232.142, subsection 5, section 237.8, subsection 2 or section 237A.5. A licensee or approved facility who uses the information for other purposes or who communicates the information to another except for the purposes of section 232.142, subsection 5, section 237.8, subsection 2 or section 237A.5 is guilty of an

aggravated misdemeanor.

Sec. 6. This Act, being deemed of immediate importance, takes effect from and after its publication in the Eldora Herald Ledger, a newspaper published in Eldora, Iowa, and in The Wapello Republican, a newspaper published in Wapello, Iowa."

4. By renumbering to conform to this amendment.

COREY of Louisa

H–3361

Amend House File 520 as follows:

1. Page 1, by inserting after line 35 the following: "User permits shall be issued without the permit fee by the county recorder to individuals who present a current medical assistance or food stamp identification card provided by the department of social services."

OSTERBERG of Linn

H–3362

Amend House File 406 as follows:

1. Page 2, line 25, by striking the figure "1.00" and inserting in lieu thereof the figure "3.00".

2. Page 2, line 28, by striking the figure "1.00" and inserting in lieu thereof the figure "3.00".

3. Page 2, line 31, by striking the figure "1.00" and inserting in lieu thereof the figure "2.00".

4. Page 3, line 3, by striking the figure "300.00" and inserting in lieu thereof the figure "200.00".

5. Page 3, line 11, by striking the figure "2.00" and inserting in lieu thereof the figure "5.00".

6. Page 3, line 14, by striking the figure "2.00" and inserting in lieu thereof the figure "7.00".

7. Page 3, line 17, by striking the figure "2.00" and inserting in lieu thereof the figure "7.00".

8. Page 3, line 19, by striking the figure "2.00" and inserting in lieu thereof the figure "3.00".

9. Page 3, line 21, by striking the figure "2.00" and inserting in lieu thereof the figure "3.00".

10. Page 3, line 23, by striking the figure "2.00" and inserting in lieu thereof the figure "4.00".

11. Page 3, line 25, by striking the figure "600.00" and inserting in lieu thereof the figure "400.00".

HANSON of Delaware
McKEAN of Jones

H–3364

Amend House File 513 as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 148C.11, Code 1983, is amended to read as follows:

148C.11 PROHIBITIONS. A person not certified as required by this chapter who practices as a physician's assistant without having obtained the appropriate approval under this chapter, is guilty of a ~~serious~~ simple misdemeanor."

2. By renumbering as necessary.

GRUHN of Dickinson

H–3365

Amend House File 37 as follows:

1. By inserting after line 6 the following:

"Sec. 2. Section 1 does not apply to the state or a political subdivision of the state when in the process of selecting a candidate for employment as a peace officer or corrections officer. This section expires June 30, 1985."

BRAMMER of Linn

H–3366

Amend House File 519 as follows:

1. Page 1, by striking line 35 through page 2, line 1 and inserting in lieu thereof the following:

"1. A hospital or health care facility shall not discriminate either directly or indirectly in rate or price".

2. Page 2, by striking lines 5 and 6 and inserting in lieu thereof the following:

"2. A hospital or health care facility shall not enter into, renew, or continue a contract or arrangement".

3. Page 2, by striking line 26 and inserting in lieu thereof the following:

"4. A third party payor shall not knowingly".

4. Page 3, line 5, by inserting after the word "other" the word "equitable".

CHIODO of Polk

H–3367

Amend House File 508 as follows:

1. Page 3, line 25, by striking the figure "324.36" and inserting in lieu thereof the figure "326.36".

WOODS of Polk

H–3368

Amend House File 417 as follows:

1. Page 1, line 27, by striking the word "erected" and inserting in lieu thereof the words "in place".

LAGESCHULTE of Bremer

H–3370

Amend House File 532 as follows:

1. Page 1, line 11, by inserting after the word "program." the following: "The rules shall provide that loans not be granted to teachers for the purpose of improving their knowledge of subject content or teaching skills in order to teach courses in subject matter areas for which they possess approval granted by the board of educational examiners."

2. Page 1, line 16, by inserting after the word "thousand" the words and figures "dollars for the fiscal year beginning July 1, 1984 and one thousand".

3. Page 1, line 16, by striking the word "per" and inserting in lieu thereof the words "for each succeeding".

4. Page 1, line 19, by inserting after the word "exceed" the words and figures "five hundred dollars for the fiscal year beginning July 1, 1984 and".

5. Page 1, line 19, by inserting after the word "dollars" the words "for each succeeding fiscal year".

6. Page 1, line 35, by striking the word "each" and inserting in lieu thereof the words and figures "the fiscal year beginning July 1, 1984".

7. Page 2, line 1, by inserting after the word "of" the words and figures "forty thousand (40,000) dollars, or so much thereof as is necessary, and for each succeeding fiscal year the sum of".

8. Page 3, line 5, by striking the words "Annually, there" and inserting in lieu thereof the word "There".

9. Page 3, line 7, by striking the word "sixty" and inserting in lieu thereof the words and figures "thirty thousand dollars for the fiscal year beginning July 1, 1984 and sixty".

10. Page 3, line 7, by inserting after the word "necessary," the words "for each succeeding fiscal year".

Committee on Appropriations

H—3371

Amend House File 118 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter 28E, Code 1983, is amended by adding the following new section:

NEW SECTION. 28E.30 SMALL CITY LAW ENFORCEMENT.

A city with a population of less than one thousand shall contract under this chapter with the county sheriff for law enforcement services in lieu of employing its own marshals or police officers."

MILLER of Woodbury

H—3372

Amend the amendment H—3255, to House File 118, as follows:

1. Page 1, line 6, by striking the word "section" and inserting in lieu thereof the word "sections".

2. Page 1, by inserting after line 36 the following:

"NEW SECTION. COUNTY ATTORNEY'S POWER. The county attorney of the county wherein the city is located, may suspend or fire for good cause a law enforcement officer of a city with a population of less than one thousand."

3. By renumbering to conform to this amendment.

MILLER of Woodbury

H—3373

Amend the amendment H—3255, to House File 118, as follows:

1. Page 1, by inserting after line 27 the following:

"3. In addition to the requirements of subsections 1 and 2, a person shall not be employed as a law enforcement officer for the city unless the person is approved as qualified, by the sheriff of the county in which the city is located."

2. By renumbering to conform to this amendment.

MILLER of Woodbury

H–3374

Amend House File 417 as follows:

1. Page 1, by striking lines 11 through 16 and inserting in lieu thereof the following:

"b. "Just compensation" means payment in cash of the value of the advertising device as determined under procedures provided in chapter 472. However, in determining just compensation, the final value shall be reduced by depreciation and salvage value of the device."

CARPENTER of Polk

H–3375

Amend House File 468 as follows:

1. Page 1, by striking line 17 and inserting in lieu thereof the following: "loan program. For the purposes of this chapter actual delivery of the soybeans also occurs when".

2. Page 2, by striking line 3 and inserting in lieu thereof the following: "loan program. For the purposes of this chapter actual delivery of the corn also occurs when".

SPEAR of Lee

H–3376

Amend House File 520 as follows:

1. Page 1, line 17, by striking the word "moving".

BENNETT of Ida

H–3377

Amend House File 520 as follows:

1. Page 3, line 35, by inserting after the word "fund." the words "The county recorder shall require that each of its depositaries pay a service fee of twenty-five cents for each license issued which shall be deposited in the general fund of the county."

SCHROEDER of Pottawattamie

H–3379

Amend House File 476 as follows:

1. Page 3, by striking lines 10 and 11 and inserting in lieu thereof the following: "director of the Iowa commission on the aging. A person shall

not be appointed a member of a care review committee for a health care facility unless the person is a resident of the county where the facility is located. The administrator of the facility shall not be".

DAGGETT of Taylor

H–3380

Amend House File 563 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. . Section 307.29, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the requirement in subsection 3 to credit to the special railroad facility fund established in section 307B.23 moneys received as payment for delinquent property taxes or received from the disposal of real estate transferred as payment for delinquent property taxes, the state department of transportation shall pay to the appropriate county treasurer to be distributed by the treasurer to the appropriate taxing districts that portion of the funds paid or property transferred to it by a railway company in liquidation of the railway company's delinquent taxes if these taxes became delinquent in a fiscal year beginning before July 1, 1983 and a taxing district had included these taxes in its budget for the fiscal year for which the delinquent taxes were levied."

2. Page 6, line 22, by inserting after the word "fund" the words "with at least the first ten million dollars each fiscal year being deemed from the road use tax fund allocation to the primary road fund for that fiscal year".

3. Page 6, line 29, by inserting after the word "fund" the words "with at least the first ten million dollars each fiscal year being deemed from the road use tax fund allocation to the primary road fund for that fiscal year".

4. Page 8, line 23, by inserting after the word "from" the words "the sources specifically prescribed in article VII, subsection 8 of the Iowa constitution paid into".

5. Page 8, line 26, by inserting after the word "year" the words "with at least the first ten million dollars credited each fiscal year to the highway bond fund coming from the road use tax fund allocation to the primary road fund for that fiscal year".

6. Page 8, line 31, by inserting after the word "fund" the words "from the sources specifically

prescribed in article VII, section 8 of the Iowa constitution".

7. Page 8, line 34, by inserting after the word "outstanding" the words "with at least the first ten million dollars credited each fiscal year to the highway bond fund coming from the road use tax fund allocation to the primary road fund for that fiscal year".

Page 2

8. Page 13, by inserting after line 27 the following sections:

"Sec. . Section 324.3, unnumbered paragraph 1, Code 1983, is amended to read as follows:

For the privilege of operating motor vehicles in this state an excise tax of thirteen cents per gallon for the period beginning September 1, 1981 and ending June 30, 1984 is imposed upon the use of all motor fuel used for any purpose except motor fuel containing at least ten percent alcohol distilled from agricultural products grown in the United States for the period beginning July 1, 1978 and ending June 30, 1986 and except as otherwise provided in this division. The tax shall be paid in the first instance by the distributor upon the invoiced gallonage of all motor fuel received by the distributor in this state, within the meaning of the word "received" as defined in this division, less the deductions authorized. Thereafter, except as otherwise provided, the per gallon amount of the tax shall be added to the selling price of every gallon of such motor fuel sold in this state and collected from the purchaser so that the ultimate consumer bears the burden of the tax; provided that tax shall not be imposed or collected under this division with respect to the following:

Sec. . Section 324.3, unnumbered paragraph 3, Code 1983, is amended to read as follows:

For the privilege of operating motor vehicles in this state an excise tax ~~of six cents per gallon for the period beginning September 1, 1981 and ending April 30, 1982, an excise tax of eight cents per gallon for the period beginning May 1, 1982 and ending June 30, 1983, an excise tax of ten cents per gallon for the period beginning July 1, 1983 and ending June 30, 1984, an excise tax of eleven cents per gallon for the period beginning July 1, 1984 and ending June 30, 1985, an excise tax of twelve cents~~ equal to the motor fuel tax rate minus five cents per gallon for the period beginning May 1, 1982 and ending June 30,

1983, an excise tax equal to the motor fuel tax rate minus two cents per gallon for the period beginning July 1, 1983 and ending June 30, 1984, an excise tax equal to the motor fuel tax rate minus one cent per gallon for the period beginning July 1, 1984 and ending June 30, 1985, an excise tax equal to the motor fuel tax rate per gallon beginning July 1, 1985 ~~and ending June 30, 1986,~~ is imposed upon the use of gasohol used for any purpose except as otherwise provided in this division.

Page 3

Sec. . Section 324.3, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For the purposes of this section, "index" means the federal highway administration annual average federal-aid composite construction price index, and "fuel consumption" means the total taxable gallons of motor fuel and special fuel reported by the department of revenue. The base year is calendar year 1981. For the fiscal year beginning July 1, 1984 and ending June 30, 1985 and each succeeding fiscal year the department of revenue shall annually calculate a factor for adjusting the motor fuel and special fuel excise tax rates. The factor shall be based on the index and the fuel consumption in the previous calendar year and shall be calculated according to the following formula: $X = (Ic/Ib + Fb/Fc)/2$, in which X is the factor, Ic is the index for the previous year, Ib is the index for the base year, Fb is the fuel consumption for the base year, and Fc is the fuel consumption for the previous year. The factor shall be multiplied by the existing motor fuel tax rate and the result, rounded to the nearest one-half cent, shall be the new motor fuel tax rate, except that the rate shall not be less than thirteen cents per gallon and shall not increase or decrease by more than one cent per gallon from one year to the next. The department of revenue shall determine the new motor fuel tax rate by April 1 of each year and cause it to be published in the Iowa administrative code and two newspapers of general circulation. The new tax rate shall take effect on July 1 of each year.

Sec. . Section 324.34, unnumbered paragraph 1, Code 1983, is amended to read as follows:

For the privilege of operating motor vehicles in this state, there is levied and imposed an excise tax on the use (as defined herein) of special fuel in any motor vehicle. The rate of tax on special

(diesel engine) fuel is thirteen and one-half cents per gallon beginning September 1, 1981 and fifteen and one-half cents per gallon for the period beginning July 1, 1982 and ending June 30, 1984. On all other special fuel the per gallon rate is the same as the motor fuel tax. The tax, with respect to all special fuel delivered by a special fuel dealer for use in this state as defined by section 324.33, shall attach at the time of the delivery and shall be collected by the dealer from the special fuel user and paid over to the department of revenue as provided in this chapter. The tax, with respect to special fuel

Page 4

acquired by a special fuel user in any manner other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle or delivery into a motor vehicle special fuel holding tank by a special fuel dealer or distributor, shall attach at the time of the use (as herein defined) of the fuel and shall be paid over to the department of revenue by the user as provided in this chapter.

Sec. . Section 324.34, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For the fiscal year beginning July 1, 1984 and ending June 30, 1985 and each succeeding fiscal year the department of revenue shall annually multiply the factor determined by the method in section 324.3 by the special (diesel engine) fuel tax rate and the result, rounded to the nearest one-half cent, shall be the new special fuel tax rate, except that the rate shall not be less than fifteen and one-half cents per gallon and shall not increase or decrease by more than one cent per gallon from one year to the next. The department of revenue shall determine the new special fuel tax rate by April 1 of each year and cause it to be published in the Iowa administrative code and two newspapers of general circulation. The new tax rate shall take effect on July 1 of each year.

Sec. 31. Chapter 324, Code 1983, is amended by adding sections 32 through 38 as a new division.

Sec. 32. NEW SECTION. 324.100 LEGISLATIVE FINDINGS. It is the finding of the general assembly that the development of a stable, efficient, and economically viable fuel alcohol industry in this state is in the best interests of the state and the nation because:

1. The demand for petroleum energy sources remains high in this state and the nation despite significant

conservation efforts.

2. The continued dependency on foreign sources for these energy resources compromises our national defense capabilities.

3. Continued purchases of foreign energy resources causes a substantial flow of revenue from this state and the nation.

4. Supplies of traditional nonrenewable energy resources and especially petroleum energy resources are being depleted.

5. Fuel alcohol represents a renewable energy resource which can be produced and consumed in this state and our nation using present technologies.

6. The development of an ethanol industry would

Page 5

benefit the economies of this state and the nation.

In view of these considerations, the general assembly endorses the development of a fuel alcohol industry in this state and enacts this law to assist this industry through the stimulation of the fuel alcohol market.

Sec. 33. NEW SECTION. 324.101 DEFINITIONS. As used in this division, unless the context otherwise requires:

1. "Ethanol" means ethyl alcohol distilled from agricultural products grown in the United States which is intended to be and is capable of being used for the purpose of propelling or running by combustion, internal combustion engines.

2. "Ethanol producer" means a producer of ethanol in this state that uses agricultural products grown in this state for the production of ethanol.

3. "Permit holder" means an ethanol producer who holds a valid ethanol production incentive permit issued by the department of revenue.

4. "Fiscal year" means the twelve-month period beginning July 1 of each year.

Sec. 34. NEW SECTION. 324.102 APPROPRIATION—ETHANOL PRODUCTION INCENTIVE FUND. There is credited annually as provided in section 39 of this Act an amount necessary to pay the production incentive provided in section 324.104 with a maximum annual amount to be credited of five hundred thousand dollars. These moneys shall be credited to the "ethanol production incentive fund" which is hereby created and the fund shall be distributed as provided in this division.

Sec. 35. NEW SECTION. 324.103 ETHANOL PRODUCTION INCENTIVE PERMIT. An ethanol producer, before

receiving incentive funds under this division, shall obtain an ethanol production incentive permit from the department of revenue. Application for the permit shall be made to the department of revenue on a form provided by the department of revenue. The application shall include the name and address of the applicant, an estimate of the annual ethanol production of the applicant, and any other information required under rules of the department of revenue. The department of revenue, when satisfied that the applicant has met all requirements, shall issue an ethanol production incentive permit to the applicant. An ethanol production incentive permit expires on June 30 of each year, unless sooner revoked by the department of revenue. An ethanol production incentive permit shall not be assigned by a permit holder. No more

Page 6

than one person or entity may claim a production incentive for ethanol produced at a given production facility during the same fiscal year. Each person is entitled to only one permit and all ethanol produced at all production facilities within this state shall be reported under a single permit. If separate ethanol production facilities are owned by separate business enterprises and the separate business enterprises are controlled or owned by the same person, all such ethanol production facilities shall be considered as being under single ownership, and all of the ethanol production shall be reported under a single permit.

Sec. 36. NEW SECTION. 324.104 PRORATION OF ETHANOL PRODUCTION INCENTIVE FUND. An ethanol producer is entitled to receive quarterly from the director of revenue a production incentive from the ethanol production incentive fund for the first one hundred thousand gallons of ethanol produced by the ethanol producer during each fiscal year. The production incentive for each ethanol producer for eligible gallons of ethanol produced during a fiscal year is fifteen cents per gallon for ethanol which is at least one hundred proof but less than one hundred eighty proof and twenty-five cents per gallon for ethanol which is at least one hundred eighty proof. However, an ethanol producer is entitled to the production incentive only for ethanol which is produced for the first time by the ethanol producer and not blended with gasoline or other motor fuels, and only for ethanol produced during months that the producer holds a valid ethanol production incentive permit. The incentive payment is subject to proration as provided

in this section. In order to qualify for an incentive payment for ethanol produced during a quarter, a permit holder shall, within thirty days of the conclusion of the quarter, certify to the director of revenue the number of gallons and proof of ethanol produced by the permit holder in the state, and shall submit or revise an estimate of the holder's fiscal year ethanol production. Incentive payments shall be paid by the director of revenue to qualified permit holders within sixty days of receipt of the holder's certification. The director of revenue shall estimate the anticipated ethanol production by permit holders in the state, and if the director finds that the production of ethanol is such that moneys appropriated for the ethanol production incentive fund are not sufficient to permit payment of the full production incentive, the director of revenue shall distribute the ethanol production incentive fund payment for

Page 7

each permit holder in a manner that the annual appropriation is prorated to each permit holder based on the ratio that the permit holder's ethanol production bears to the total ethanol production by permit holders in the state. However, the director of revenue shall not include in this calculation production of ethanol by a permit holder in excess of one hundred thousand gallons per fiscal year.

Sec. 37. NEW SECTION. 324.105 RULES. The department of revenue shall adopt rules pursuant to chapter 17A as necessary to administer this division.

Sec. 38. NEW SECTION. 324.106 FRAUD—PERMIT REVOCATION—CIVIL PENALTY. An ethanol producer who knowingly makes false certification of ethanol production, false claim, or false application under section 324.103 or 324.104 is not eligible to receive a production incentive under this division. The producer shall pay to the department of revenue an amount equal to the production incentive received by the producer for production during the quarter in which the producer made false certification, false claim, or false application, plus interest from the date of falsification at the rate set under section 421.7 and shall in addition pay to the department of revenue a civil penalty of five hundred dollars. The amounts due under this section may be collected and determined as provided in sections 422.26 and 422.54. The ethanol production incentive permit shall be revoked by the department of revenue for any ethanol producer who is ineligible under this section to

receive a production incentive and the ethanol producer shall remain ineligible to receive an ethanol production incentive permit in subsequent years.

Sec. 39. Section 423.24, Code 1983, is amended to read as follows:

423.24 DEPOSIT OF REVENUE. All revenue arising under the operation of this chapter, derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment, as same may be collected as provided by section 423.7 shall be credited to the road use tax fund except that the first four million dollars collected in each fiscal year shall be credited to the primary road fund and except that for each of the fiscal years in the period beginning July 1, 1983 and ending June 30, 1988 a maximum of five hundred thousand dollars shall be credited to the ethanol production incentive fund. All other revenue arising under the operation of this chapter shall be credited to the general fund of the state.

Page 8

Sec. . Section 307.29, Code 1983, is repealed effective September 1, 1983.

Sec. . Notwithstanding section 423.24, as amended in this Act, the treasurer of state shall deposit all revenue derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment collected under section 423.7 for the fiscal year beginning July 1, 1983 and ending June 30, 1984 in the manner provided in this section. The treasurer of state shall credit the revenue collected to the primary road fund and the ethanol production incentive fund in the amounts as specified in section 423.24, as amended in this Act, shall credit one million dollars collected to a special fund with the department of transportation to be used for public transit purposes to implement a state assistance plan and shall credit seven million dollars of the tax receipts collected to the special railroad facility fund created under section 307B.23. Any additional moneys collected under section 423.7 in the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall be credited to the road use tax fund.

The funds transferred to the special railroad facility fund during the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall be considered as an interest free loan to this fund. The loan shall be used to purchase railroad right-of-way and trackage

facilities in the fiscal year beginning July 1, 1983 and ending June 30, 1984 and the loan shall be repaid from the proceeds derived from the railroad right-of-way and trackage facilities. However, if the loan is not spent during that fiscal year for the purchase of railroad right-of-way and trackage facilities the amount not so spent shall revert to the road use tax fund on June 30, 1984."

Sec. . Sections 31 through 38 are effective for ethanol produced in this state on or after July 1, 1983.

Sec. . Sections 31 through 38 are repealed effective July 1, 1988. However, claims arising under section 324.104 prior to July 1, 1988, shall be paid in the manner provided in the repealed section 324.104 during the fiscal quarter beginning July 1, 1988 and ending September 30, 1988."

9. Title page, by striking lines 1 through 14 and inserting in lieu thereof the words "An Act relating to transportation, fuel used for transportation, and the utilization of moneys deposited in or to be deposited in funds relating to transportation."

CONNOLLY of Dubuque
PARKER of Jasper
SWARTZ of Marshall
LLOYD-JONES of Johnson

H–3384

Amend House File 563 as follows:

1. Page 13, by inserting after line 27 the following:

"Sec. . Section 324.34, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Beginning July 1, 1983, in addition to the tax imposed under other provisions of this section, there is imposed an additional tax on the use of special fuel in motor vehicles equal to the difference between the amount paid as a result of the other provisions of this section and the following chart:

Weight of Vehicle	Rate Per Gallon
26,001-50,000 pounds	25.9 cents
50,001-70,000 pounds	34.7 cents
70,001-75,000 pounds	47.6 cents
75,001 pounds or more	64.3 cents

The department of transportation shall provide by rule for the filing of a return and remittance of tax by those persons owing the additional tax. Failure

of a person to file a return and remit the additional tax shall be the same as provided in section 324.65."

2. Title page, line 14, by inserting after the word "costs" the words "and imposing an additional graduated tax on the use of special fuel".

McKEAN of Jones

H–3385

Amend amendment, H–3380 to House File 563 as follows:

1. Page 1, by striking lines 22 through 50 and inserting in lieu thereof the following:

" . By striking page 1, line 1, through page 13, line 27."

SCHROEDER of Pottawattamie
McINTEE of Black Hawk

H–3386

Amend H–3380 to House File 563 as follows:

1. Page 5, by striking lines 11 through 14 and inserting in lieu thereof the following: "agricultural products grown in the United States and not distilled for human consumption."

BENNETT of Ida

H–3387

Amend amendment H–3380 to House File 563 as follows:

1. Page 3, by striking line 25.

2. Page 4, by striking lines 18 and 19 and inserting in lieu thereof the words "except that the rate shall not increase".

BENNETT of Ida

H–3388

Amend amendment H–3380 to House File 563 as follows:

1. Page 1, by striking lines 41 through 50.

SCHROEDER of Pottawattamie

H–3389

Amend amendment H–3380 to House File 563 as follows:

1. Page 8, by inserting after line 23, the following:

"Notwithstanding the above paragraph, the treasurer of state shall continue on an annual basis to credit one million dollars collected to a special fund with the department of transportation to be used for public transit purposes to maintain a state assistance plan."

ROSENBERG of Story
O'KANE of Woodbury
GRONSTAL of Pottawattamie
PAVICH of Pottawattamie
OSTERBERG of Linn
VARN of Johnson

H—3390

Amend amendment H—3380 to House File 563 as follows:
1. Page 1, line 24, by inserting after the word "dollars" the words "credited to the highway bond fund".
2. Page 1, line 29, by inserting after the word "dollars" the words "credited to the highway bond fund".

SCHROEDER of Pottawattamie

H—3391

Amend amendment H—3380 to House File 563 as follows:
1. Page 1, line 36, by inserting after the word "the" the word "first".

CONNOLLY of Dubuque

H—3392

Amend amendment H—3380 to House File 563 as follows:
1. Page 2, by striking lines 42 through 47 and inserting in lieu thereof the words and figures "minus three cents per gallon for the period beginning July 1, 1983 and ending June 30, 1988 ~~per gallon beginning July 1, 1985 and~~".

DAVITT of Warren

H—3393

Amend amendment H—3380 to House File 563 as follows:
1. Page 7, by striking lines 41 through 43 and inserting in lieu thereof the words "credited to the road use tax fund".
2. Page 8, line 11, by striking the words "the primary road fund and".

HARBOR of Mills

H–3394

Amend amendment H–3380 to House File 563 as follows:

1. Page 1, lines 23 and 24, by striking the words "at least the first ten million dollars" and inserting in lieu thereof the words "the moneys credited".

2. Page 1, lines 28 and 29, by striking the words "at least the first ten million dollars" and inserting in lieu thereof the words "the moneys credited".

3. Page 1, lines 37 and 38, by striking the words "at least the first ten million dollars" and inserting in lieu thereof the words "the moneys".

4. Page 1, lines 46 and 47, by striking the words "at least the first ten million dollars" and inserting in lieu thereof the words "the moneys".

HARBOR of Mills

H–3395

Amend amendment H–3380 to House File 563 as follows:

1. Page 1, by inserting after line 26 the following:

" . Page 6, line 22, by inserting after the word "fund." the words "However, the amount of moneys that may be pledged shall not exceed the amount of revenues collected from two cents of the state motor fuel tax or motor fuel and special fuel in the previous fiscal year." "

2. Page 1, by inserting after line 31 the following:

" .. Page 6, line 29, by inserting after the word "fund." the words "However, the amount of moneys that may be pledged shall not exceed the amount of revenues collected from two cents of the state motor fuel tax or motor fuel and special fuel in the previous fiscal year." "

3. Page 1, by inserting after line 50 the following:

" . Page 8, line 34, by inserting after the word "outstanding." the words "However, the amount that may be pledged and annually appropriated shall not exceed the amount of revenue collected from two cents of the state motor fuel tax on motor fuel and special fuel in the previous fiscal year." "

SCHROEDER of Pottawattamie

H–3396

Amend the Connolly et al. amendment, H–3380, to House File 563 as follows:

1. Page 5, by inserting after line 32 the following:

"The department shall implement a women's business enterprise program to involve independent businesses owned and controlled by women in the production of ethanol funded under this division. The program shall establish an overall goal for the participation of women's business enterprises of five percent of the funds credited to the ethanol production incentive fund. The department shall maintain a current directory of women's business enterprises which have been certified as owned and controlled by women and which are capable of meeting general requirements for ethanol production. A women's business enterprise shall be certified as owned and controlled by women if the business is independent, at least fifty-one percent owned by women, and managed and operated by women, with women making both the day-to-day decisions as well as the major decisions for the business. The women's ownership shall be real, substantial, and continuing. Funds not allocated in any fiscal year to a women's business enterprise shall be retained by the department for allocation to a women's business enterprise in a succeeding fiscal year."

CLARK of Cerro Gordo

H–3397

Amend the Connolly et al. amendment, H–3380, to House File 563, as follows:

1. Page 7, line 43, by inserting after the word "and" the words "one million collected in each fiscal year shall be credited to a special fund with the state department of transportation to be used for public transit assistance,".

2. Page 8, by striking line 14 through 17 and inserting in lieu thereof the words "credit seven million dollars".

McKEAN of Jones
HANSON of Delaware
HOFFMANN-BRIGHT of Muscatine
HERMANN of Scott
CARPENTER of Polk
McINTEE of Black Hawk
SCHNEKLOTH of Scott
VAN CAMP of Scott
VAN GERPEN of Black Hawk

H–3398

Amend the Connolly et al. amendment, H–3380, to House File 563, as follows:

1. Page 2, by striking lines 1 through 26.

2. Page 3, by striking lines 24 through 32 and inserting in lieu thereof the words and figures "proposed new motor fuel tax rate. The department of revenue shall determine the proposed new motor fuel tax rate by April 1 of each year and report its findings to the general assembly for its consideration not later than April 5 of each year."

3. By striking page 3, line 33 through page 4, line 8.

4. Page 4, by striking lines 17 through 26 and inserting in lieu thereof the words and figures: "one-half cent, shall be the proposed new special fuel tax rate. The department of revenue shall determine the proposed new special fuel tax rate by April 1 of each year and report its findings to the general assembly for its consideration not later than April 5 of each year."

McKEAN of Jones

H–3399

Amend amendment H–3380 to House File 563 as follows:

1. Page 1, by inserting after line 31 the following:

" . Page 7, line 19, by inserting after the word "projects." the words "In determining the road construction projects for which the proceeds shall be expended, the department shall give priority to projects to be located in counties whose unemployment rate is greater than the statewide average." "

SCHNEKLOTH of Scott

H–3400

Amend amendment H–3380 to House File 563 as follows:

1. Page 1, by inserting after line 31 the following:

" . Page 7, line 19, by inserting after the word "projects." the words "In determining the road construction projects for which the proceeds shall be expended, the department shall give priority to projects involving primary roads with high traffic use." "

SCHNEKLOTH of Scott

H—3401

Amend amendment H—3380 to House File 563 as follows:

1. Page 8, by inserting after line 45 the following:

" . Page 13, line 28, by inserting after the word "Act" the words and figures ", except sections 1 through 22,".

. Page 13, by inserting after line 31 the following:

"Sec. . Sections 1 through 22, after legal publication in at least one newspaper in each county, if one is published therein, throughout the state, for three months preceding the election shall be submitted to the people of this state at the time of the state election to be held in November, 1984, and shall not take effect unless at that election a majority of those voting on the measure favor it. Separate ballots shall be provided for the electors, which shall be substantially in the following form:

(Notice to voters: For an affirmative vote upon any questions submitted on this ballot check the square after the word "yes". For a negative vote, make a similar mark in the square following the word "no".)

"Shall the following public measure, being sections 1 through 22 of an Act of the regular session of the Seventieth General Assembly, be adopted and approved?"

Yes _____ No _____

(Here insert in full sections 1 through 22)

Sec. . Sections 1 through 22 take effect immediately upon their adoption and approval at the election." "

HANSON of Delaware

H—3402

Amend amendment H—3380 to House File 563 as follows:

1. Page 1, by striking lines 13 through 21 and inserting in lieu thereof the words and figures "a special bridge replacement fund the moneys collected. Moneys in this special fund are available to a county for use in the replacement or repair of bridges in the county. However, for the fiscal year beginning July 1, 1983 and ending June 30, 1984 only those

counties whose delinquent taxes owed by a railway company were collected by the department are eligible for the moneys in the special fund. The amount each such county is entitled to is its portion of the moneys collected which are attributable to the delinquent taxes of a railway company owed the county. Beginning on July 1, 1984, all counties in the state are eligible for any moneys remaining in the special fund. Distribution of these moneys after June 30, 1984 are based upon the priorities established by the department of transportation for the replacement or repair of bridges."

SCHROEDER of Pottawattamie

H–3405

Amend the Committee on Appropriations amendment, H–3341, to House File 511, as follows:

1. Page 1, by inserting after line 9 the following:

" . Page 1, by striking lines 27 through 30 and inserting in lieu thereof the following:

"2. Loans provided through the program shall be used to pay the cost of public works and facilities. "Public works and facilities" means "essential corporate purpose" and "general corporate purpose" as defined in section 384.24, subsections 3 and 4. "Cost" means all the costs of the project, including the cost of acquisition, construction, reconstruction and improvement, and all the items listed in section 384.24, subsection 5."

. Page 3, line 15, by striking the words "upon the effective date of this Act" and inserting in lieu thereof the word and figures "on July 1, 1983"."

2. Page 1, by striking lines 14 and 15 and inserting in lieu thereof the following:

" . Page 3, by inserting after line 23 the following:".

3. Page 1, by striking lines 16 through 24.

4. Page 1, by inserting after line 24 the following:

" . Page 3, by inserting before line 24 the following new sections:

"Sec. . NEW SECTION. LOANS NOT DEPENDENT ON BONDS. Notwithstanding any law to the contrary cities shall not be required to issue bonds to secure loans received by the city through the Iowa community development loan program.

Sec. . Section 384.4, subsection 2, Code 1983, is amended to read as follows:

2. Interest as it becomes due and the amount necessary to pay, or to create a sinking fund to pay, the principal at maturity of all general obligation bonds issued by the city or to pay, or to create a sinking fund to pay, amounts as due on loans received through the Iowa community development loan program." "

O'KANE of Woodbury

H–3410

Amend Senate File 145, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 6 the following section:

"Sec. . Section 306A.10, Code 1983, is amended to read as follows:

306A.10 NOTICE TO RELOCATE–COSTS PAID ~~BY STATE~~. Whenever the state department of transportation ~~shall determine~~, city or county determines that relocation or removal of any utility facility now located in, over, along, or under any highway or street, is necessitated by the construction of a project on routes of the national system of interstate and defense highways including extensions within cities or on streets or highways resulting from interstate substitutions in a qualified metropolitan area under title 23, U.S.C., the utility owning or operating ~~such~~ the facility shall relocate or remove the same in accordance with statutory notice. The costs of relocation or removal, including the costs of installation in a new location, shall be ascertained by the ~~state department~~ authority having jurisdiction over the project or as determined in condemnation proceedings for such purposes and may be paid ~~by the state out of the primary road fund as part of the cost of such federally aided project~~ from participating federal aid or other funds."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

McINTEE of Black Hawk
DIEMER of Black Hawk
VAN GERPEN of Black Hawk

H–3411

Amend House File 422 as follows:

1. Page 1, by striking lines 25 through 31 and inserting in lieu thereof the following:

"A city shall not join an entity created under this chapter for the purpose of financing electric power facilities unless that city owned and operated a municipal electric utility as of July 1, 1981. Power supplied by a municipal power agency may not be furnished to a municipal utility not existing as of July 1, 1981.

After July 1, 1981, a city shall not join an entity".

WOODS of Polk

H–3413

Amend House File 422 as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 20.3, subsection 1, Code 1983, is amended to read as follows:

1. "Public employer" means the state of Iowa, its boards, commissions, agencies, departments, and its political subdivisions including school districts, entities financing electric power facilities under chapter 28F, and other special purpose districts."

2. Title page, line 2, by inserting after the word "facilities" the words "and making entities financing electric power facilities public employers for purposes of the chapter on public employment relations".

3. Renumber as necessary.

OLLIE of Clinton

H–3417

Amend House File 552 as follows:

1. Page 1, line 26, by striking the word "on" and inserting in lieu thereof the words "~~on~~ by".

2. Page 2, line 16, by striking the word "on" and inserting in lieu thereof the word "by".

3. Page 2, line 25, by striking the word "on" and inserting in lieu thereof the word "by".

4. Page 5, line 13, by inserting after the word "penalty" the words ", not exceeding one hundred dollars,".

SPEAR of Lee

H–3418

Amend House File 552 as follows:

1. Page 3, by striking lines 11 through 21.

2. By renumbering to conform with this amendment.

BENNETT of Ida

H–3420

Amend House File 422 as follows:

1. Page 1, lines 8 and 9, by striking the words "~~constructed within the state of Iowa~~" and inserting in lieu thereof the words "constructed within the state of Iowa".

RUNNING of Linn

H–3421

Amend House File 422 as follows:

1. Page 5, by striking lines 21 through 26.

KREWSON of Polk

H–3422

Amend House File 590 as follows:

1. Page 1, by striking lines 13 through 21 and inserting in lieu thereof the following:

"3. Nonstructural alterations to existing buildings not otherwise excluded;.

4. Warehouses, light industrial and commercial buildings not more than two stories in height;.

BLANSHAN of Greene

H–3424

Amend House File 100 as follows:

1. Page 1, by striking lines 2 and 3 and inserting in lieu thereof the words "IOWA HIGH TECHNOLOGY

COMMISSION. The Iowa high technology commission, hereafter referred to as the "commission" is established."

2. Page 1, line 5, by striking the word "institute" and inserting in lieu thereof the word "commission".

3. Page 1, line 6, by inserting after the word "research" the word "development".

4. Page 1, by inserting after line 20 the following:

" . Consider and award grants on a project basis to an educational institution or commercial entity in which an educational institution has an ownership interest, for any of the following:

a. Further research on an idea, process, or product to determine potential for commercially feasible application.

b. Product development and testing.

c. Market analysis.

d. Public investment in commercial development in conjunction with private investment."

5. Page 1, by striking lines 21 and 22 and inserting in lieu thereof the following:

"Sec. 3. NEW SECTION. 262B.3 IOWA HIGH TECHNOLOGY COMMISSION. The Iowa advanced technology institute".

6. Page 1, line 25, by striking the words "executive secretary or other".

7. Page 1, by striking lines 27 and 28 and inserting in lieu thereof the following:

"2. One state representative and one state senator selected by the speaker of the house of representatives and the president of the senate respectively who shall serve in an advisory capacity and shall not vote in any final actions of the commission."

8. Page 2, by striking lines 13 through 15 and inserting in lieu thereof the word "chapter."

9. By striking page 2, line 16 through page 3, line 7.

10. Page 3, by striking lines 12 and 13 and inserting in lieu thereof the words and figure "to section 262B.2."

11. Page 3, line 16, by striking the word "institute" and inserting in lieu thereof the word "commission".

12. By striking page 3, line 27 through page 4, line 10 and inserting in lieu thereof the following:

"Sec. 8. NEW SECTION. 262B.8 OPERATIONS OF COMMISSION. A public investment in commercial

Page 2

development by the commission may be made only in Iowa and in conjunction with private investment and shall be reflected in a public ownership interest in the commercial entity which is established. The public ownership interest shall be negotiated with the other investing parties, including but not limited to, educational institutions, inventors, and private investors. A provision relating to the terms of ownership and the circumstances of disposal of the public ownership interest shall be made at the time of investment.

Upon the disposition of a public investment, one half of the proceeds beyond the original investment shall be available for research support at the educational institutions making application for support under this chapter. The remainder of the proceeds attributable to an educational institution ownership interest shall be available for support and investment pursuant to this chapter.

All support and investment authorized by this chapter shall be made consistent with the rules and policies concerning property rights, patents, copyrights, and intellectual property of the educational institutions involved in each project."

13. Page 4, line 16, by striking the word "INSTITUTE" and inserting in lieu thereof the word "COMMISSION".

14. Page 4, line 18, by striking the words "advanced technology institute" and inserting in lieu thereof the words "high technology commission".

15. Page 4, line 19, by striking the word "one" and inserting in lieu thereof the word "two".

16. Page 4, line 19, by striking the word "institute" and inserting in lieu thereof the word "projects".

17. Page 4, by striking lines 20 through 24 and inserting in lieu thereof the words "there is appropriated from the general fund of the state an amount for operations of the commission but not to exceed one hundred thousand dollars annually."

18. Title page, by striking line 1 and inserting in lieu thereof the words "An Act creating the Iowa High Technology Commission and".

19. By renumbering as necessary.

Committee on Appropriations

H—3425

Amend Senate Concurrent Resolution 13 as follows:

1. Page 4, by inserting after line 7 the following:

"*Be It Further Resolved,* That in undertaking and carrying out the projects authorized under this resolution, the state board of regents shall establish a women's and minority business enterprise program to involve independent businesses owned and controlled by women and minorities in projects funded under this resolution. The program shall establish an overall goal for the participation of women's and minority business enterprises of five percent of the proceeds from the issuance of the bonds under this resolution, and shall establish specific project goals, including dollar goals, for the participation of women's and minority business enterprises capable of meeting general contracting requirements and particular project solicitations. General contractors shall make a good faith effort to meet the specific goals established for a project funded under this resolution. The state board of regents shall maintain a current directory of women's and minority business enterprises which have been certified as owned and controlled by women or minorities and which are capable of meeting general contracting requirements and particular project solicitations. A women's or minority business enterprise shall be certified as owned and controlled by women or minorities if the business is independent, at least fifty-one percent owned by women or minorities, and managed and operated by women or minorities, with women or minorities making both the day-to-day decisions as well as the major decisions for the business. The women's or minorities' ownership shall be real, substantial, and continuing.

In advertising for bids and letting contracts for projects funded under this resolution, the state board of regents shall establish an overall goal for the participation of women and minority workers and shall establish specific project participation goals, including percentages of women and minority workers on the project, after considering the number of women and minority workers available and trainable for the project. Contractors shall make a good faith effort to meet the specific goals established for a project funded under this resolution."

ZIMMERMAN of Dallas

H–3426

Amend the committee amendment, H–3283 to House File 422, as follows:

1. Page 1, by striking line 2 and inserting in lieu thereof the following:

"1. Page 1, line 35, by striking the words "a notice of".

2. Page 2, by striking lines 1 through 17 and".

2. Page 1, lines 7 and 8, by striking the words "If at any time before the" and inserting in lieu thereof the words "If a majority of".

3. By renumbering as necessary.

SCHROEDER of Pottawattamie
LONERGAN of Boone

H–3427

Amend House File 422 as follows:

1. Page 3, by striking lines 11 through 31 and inserting in lieu thereof the words "~~revenue~~ in this chapter. Revenue bonds".

JAY of Appanoose
CARPENTER of Polk
VARN of Johnson
SWEARINGEN of Keokuk
CHAPMAN of Linn
ROSENBERG of Story

H–3435

Amend House File 118 as follows:

1. Page 1, by striking lines 21 through 23 and inserting in lieu thereof the following: "one thousand shall be sixty hours. The scope and content of the training shall be determined by the Iowa law enforcement academy council. Additional training".

HALVORSON of Clayton

H–3438

Amend amendment H–3424 to House File 100 as follows:

1. Page 1, line 27, by striking the words "advanced technology institute" and inserting in lieu thereof the words "high technology commission".

JOCHUM of Dubuque

H–3444

Amend House File 206 as follows:

1. Page 1, line 8, by striking the words "side or rear windows which are" and inserting in lieu thereof the words "a side window which is".

2. Page 1, line 17, by inserting after the word "window." the following: "This subsection does not apply to loss of transparency of windows caused by the use of drapes, curtains, or screens."

MILLER of Woodbury

H–3446

Amend Senate File 213 as follows:

1. Page 1, by inserting after line 11 the following new section:

"Sec. . Section 312E.28, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 6. A single-trip permit issued under this section shall restrict the movement of the mobile home or factory-built structure to primary roads. However, the single-trip permit may allow movement of the mobile home or factory-built structure over other roads from the point of sale or to the point of delivery over the most direct route to or from a primary road."

2. Renumber sections and correct internal references as are necessary in accordance with this amendment.

MILLER of Woodbury

H–3447

Amend Senate File 345 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 28 the following:

" . Notwithstanding subsections 2, 3, and 5, a medical practitioner who dispenses prescription drugs, including but not limited to controlled substances, may delegate nonjudgmental dispensing functions to staff assistants if the nearest pharmacy is seven or more miles from the medical practitioner's office."

MUHLBAUER of Crawford

H–3451

Amend House File 587 as follows:

1. By striking page 2, line 21 through page 3, line 4.

2. Amend the title, by striking lines 3 through 9 and inserting in lieu thereof the following: "enrollment,".

3. Renumber as necessary.

VAN CAMP of Scott

H–3452

Amend House File 551 as follows:

1. Page 140, line 12, by striking the figure "1985" and inserting in lieu thereof the figure "1986".

JAY of Appanoose

H–3453

Amend House File 530 as follows:

1. Page 1, line 8, by striking the word "resident" and inserting in lieu thereof the word "residence".

SPEAR of Lee

H–3455

Amend House Concurrent Resolution 20 as follows:

1. Page 1, by inserting after line 14 the following:

"*Whereas*, in January of 1980, sixty percent of the twenty-three million metric tons of corn and wheat ordered from the United States by the Soviet Union was embargoed and the resulting loss of demand for these commodities contributed to the reduction in price for these commodities and the lower prices received for these commodities contributed to the decline in farm income; and

Whereas, the current share of grain imports by the Soviet Union held by the United States totals approximately seventeen percent as compared with the pre-embargo peak of almost seventy-five percent; and

Whereas, this reduced market for American grain supplies resulting from the 1980 embargo, has suppressed the ability of the farm community to improve net income figures; and".

2. Page 2, by striking line 1, and inserting in lieu thereof the words "*the Senate Concurring*, That

the General Assembly believes that the state of economic emergency exists in the state, especially in the agricultural community, and the House and Senate Agriculture Committees will develop their proposals for solving the problem by April 15, 1983; and

Be It Further Resolved, That the Governor is requested".

BENNETT of Ida

H–3456

Amend Senate File 412 as follows:

1. Page 1, line 1, by striking the figure "246" and inserting in lieu thereof the figure "216".

Committee on Human Resources

H–3457

Amend House File 422 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. . Section 28E.5, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. If the agreement establishes an entity whose purposes include issuing revenue bonds under chapter 28F for financing electric power facilities, the agreement shall specify that the entity shall not sell electric power or energy at retail to the ultimate users of the electric power or energy."

HARBOR of Mills

H–3458

Amend House File 558 as follows:

1. Page 6, by inserting after line 12 the following:

"8. The department shall not withhold an amount greater than five percent of the schedule of basic needs in recouping an overpayment due to an error by a recipient under the aid to families with dependent children program, unless the recipient elects to have a greater amount withheld. If an overpayment is due to an error by the department, the department shall not withhold an amount greater than one percent of the schedule of basic needs, unless the recipient elects to have a greater amount withheld."

VAN CAMP of Scott

H–3461

Amend amendment H–3246 to House File 442 as follows:
1. Page 1, line 3, by striking the numeral "1984" and inserting in lieu thereof the numeral "2084".

SCHROEDER of Pottawattamie

H–3462

Amend House File 417 as follows:
1. Page 1, by inserting after line 32 the following:
"d. The regulation of such device and similar devices is pursuant to a duly enacted zoning ordinance."

COREY of Louisa

H–3465

Amend House File 257 as follows:
1. Page 5, by striking lines 9 through 11 and inserting in lieu thereof the following:
"2. The owner of the vehicle which is fueled by natural gas or liquefied petroleum gas shall be responsible for the placement of the approved abbreviation or symbol on the vehicle."

PAVICH of Pottawattamie
CONNORS of Polk
RENAUD of Polk

H–3468

Amend House File 504 as follows:
1. Page 1, by inserting before line 1 the following:
"Section 1. It is the intent of the general assembly that a person receiving the benefit of a reduction in adjusted gross income or taxable income as the result of the sale or rental of farmland, or the extension of credit to a beginning farmer should allot a portion or all of that benefit to the beginning farmer in the form of a reduction in the sale price or rent of the farmland or the interest rate in any extension of credit."
2. By renumbering sections according to this amendment.

KOENIGS of Mitchell
HALVORSON of Webster

H–3469

Amend Senate File 463 as follows:

1. Page 1, by striking lines 15 through 26 and inserting in lieu thereof the following:

"This section prohibits the admission of a patient with a history of dangerous or disturbing behavior to an intermediate care facility or skilled nursing facility unless the intermediate care facility or skilled nursing facility has a program which has received prior approval from the department to properly care for and manage the patient. An intermediate care facility or skilled nursing facility is required to transfer or discharge a resident with a history of dangerous or disturbing behavior when the intermediate care facility or skilled nursing facility cannot control the dangerous or disturbing behavior. The department, in coordination with the".

CLARK of Cerro Gordo

H–3472

Amend House File 576 as follows:

1. Page 2, line 10, by inserting after the word "not" the word "knowingly".

SPEAR of Lee

H–3473

Amend House File 422 as follows:

1. Page 6, by inserting after line 15 the following:

"Sec. . Section 390.1, subsection 6, Code 1983, is amended to read as follows:

6. "Participant" means a city, electric co-operative, ~~or~~ privately owned utility company, or an entity created pursuant to chapter 28E financing electric power facilities under chapter 28F which is a party to a joint agreement."

2. By renumbering as necessary.

McINTEE of Black Hawk

H–3474

Amend Senate File 145, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 6 the following sections:

"Sec. . Section 306A.10, Code 1983, is amended to read as follows:

306A.10 NOTICE TO RELOCATE—COSTS PAID ~~BY STATE~~. Whenever the state department of transportation ~~shall determine~~, city or county determines that relocation or removal of any utility facility now located in, over, along, or under any highway or street, is necessitated by the construction of a project on routes of the national system of interstate and defense highways including extensions within cities or on streets or highways resulting from interstate substitutions in a qualified metropolitan area under title 23, U.S.C., the utility owning or operating ~~such~~ the facility shall relocate or remove the same in accordance with statutory notice. The costs of relocation or removal, including the costs of installation in a new location, shall be ascertained by the ~~state department~~ authority having jurisdiction over the project or as determined in condemnation proceedings for such purposes and may be paid ~~by the state out of the primary road fund as part of the cost of such federally aided project~~ from participating federal aid or other funds.

Sec. . Section 306A.12, Code 1983, is amended to read as follows:

306A.12 LIMITATION ON REIMBURSEMENT. ~~No~~ A reimbursement shall not be made for any relocation or removal of facilities under this ~~division~~ chapter unless funds to be provided by federal aid amount to at least ~~ninety~~ eighty-five percent of each reimbursement payment."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

McINTEE of Black Hawk
DIEMER of Black Hawk
VAN GERPEN of Black Hawk
SHOULTZ of Black Hawk

H—3482

Amend H—3437, filed to House File 562, as follows:

1. Page 4, by inserting after line 6, the following:

"Notwithstanding section 20.22, subsection 9, paragraph d, an arbitrator acting pursuant to section 20.22 in making the final determination of the most reasonable offer for a collective bargaining agreement shall not consider a board's ability to raise an

additional enrichment amount for a budget year, if the board has not voted to raise the additional enrichment amount for that budget year."

HANSON of Delaware

H–3483

Amend Senate File 294 as follows:

1. Page 1, by inserting after line 16 the following:

"Sec. 2. Persons who retired before January 1, 1981 and who were judicial magistrates at the time of retirement and who meet the qualifications of a district associate judge are considered to be district associate judges for the purposes of section 1 of this Act."

RENAUD of Polk

H–3485

Amend House File 422 as follows:

1. Page 1, by striking line 18 and inserting in lieu thereof the following: "~~or any combination of the foregoing with other public agencies~~,".

HALVORSON of Clayton

H–3487

Amend House File 576 as follows:

1. Title page, line 4, by inserting after the word "death" the words "and providing a penalty".

SPEAR of Lee

H–3488

Amend House File 576 as follows:

1. Page 5, by striking lines 25 through 32 and inserting in lieu thereof the words "consent is guilty of a simple misdemeanor."

SPEAR of Lee

H–3489

Amend House File 535 as follows:

1. Page 1, line 10, by inserting after the word "engineering" the words ", unless a reasonable person

would have changed the original design based upon generally accepted safety standards and standards of design and engineering in effect at the time of the act or omission".

2. Page 1, line 17, by inserting after the word "engineering" the words ", unless a reasonable person would have changed the original design based upon generally accepted safety standards and standards of design and engineering in effect at the time of the act or omission".

PARKER of Jasper
ROSENBERG of Story

H—3490

Amend House File 535 as follows:

1. By inserting before line 1 the following:

"Section 1. Section 25A.2, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 7. "Design" means all engineering considerations and decisions necessary to design and construct a highway.

NEW SUBSECTION. 8. "Highway" means all roads or bridges designed, constructed or maintained by the state of Iowa."

2. Page 1, by striking lines 1 through 10, and inserting in lieu thereof the following:

"Sec. 2. Section 25A.14, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Any claim against the state, a state agency, or an employee of the state or a state agency, based upon the design or contruction of a highway or the failure to redesign or reconstruct a highway if the highway was originally designed and constructed in accordance with generally accepted standards of design and engineering at the time of design or construction."

3. Renumber as necessary.

JAY of Appanoose

H—3504

Amend Senate File 431 as amended, passed and reprinted by the Senate, as follows:

1. Page 3, by striking lines 17 and 18 and inserting in lieu thereof the following: "director of the Iowa commission on the aging. A person shall not be appointed a member of a care review committee for a health care facility unless the person is a

resident of the service area where the facility is located. The care review committee for any facility caring".

DAGGETT of Taylor
ZIMMERMAN of Dallas

H–3506

Amend House File 422 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. . Section 28E.5, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. If the agreement establishes an entity whose purposes include issuing revenue bonds under chapter 28F for financing electric power facilities, the agreement shall specify that any amendment to the agreement which increases the membership of the entity shall not become effective until ratified by resolutions of a majority of the current members."

HERMANN of Scott
SCHNEKLOTH of Scott
VAN CAMP of Scott

H–3507

Amend House File 417 as follows:

1. Page 1, by inserting after line 32 the following:

"d. If the nonconforming use of the device is required to be terminated by a local zoning ordinance after the expiration of a reasonable amortization period."

HOLVECK of Polk
CONNORS of Polk
BUHR of Polk

H–3510

Amend House File 565 as follows:

1. Page 1, by striking lines 27 through 29, and inserting in lieu thereof the following:

"notwithstanding the above, upon a request made within a reasonable period of time prior to the hearing, which request is made by either a member of the board, the alleged violator's attorney, or the alleged

violator, the board shall convene in a panel consisting".

ROSENBERG of Story
SPEAR of Lee

H–3511

Amend House File 206 as follows:

1. Page 1, by striking lines 13 through 17 and inserting in lieu thereof the words "which shall apply to violations of this subsection."

JAY of Appanoose

H–3512

Amend House File 206 as follows:

1. Page 1, line 11, by inserting after the word "window." the words "A van or truck equipped with rear view mirrors on each side of the vehicle may have a darkened rear window."

SPEAR of Lee

H–3514

Amend House File 508 as follows:

1. Page 3, line 4, by striking the word "and" and inserting in lieu thereof the word "~~and~~".

2. Page 3, line 5, by striking the word and figure "section 324.52" and inserting in lieu thereof the figure "~~324.52~~".

3. Page 3, line 8, by striking the word "and" and inserting in lieu thereof the word "~~and~~".

4. Page 3, line 9, by striking the word and figure "section 324.52," and inserting in lieu thereof the figure "~~324.52,~~".

MUHLBAUER of Crawford

H–3515

Amend House File 588 as follows:

1. Page 2, by striking lines 17 through 28.

PAVICH of Pottawattamie

H–3516

Amend House amendment H–3512, to House File 206 as follows:

1. Page 1, line 3, by striking the words "van or truck" and inserting in lieu thereof the words "pickup, multipurpose vehicle, motor truck, truck tractor, road tractor, special truck, or motor home".

SPEAR of Lee

H–3521

Amend Senate File 349 as follows:

1. Page 1, line 4, by inserting after the word "entity" the word "wholly".

ROSENBERG of Story

H–3523

Amend House File 603 as follows:

1. By striking page 1, line 13 through page 3, line 32 and inserting in lieu thereof the following:

"Sec. . Section 321.46, Code 1981, as amended by 1982 Iowa Acts, chapter 1062, section 8, is amended by inserting after subsection 3, paragraph g, the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The credit shall be computed on the unexpired number of months computed from the date of purchase of the vehicle acquired.

Sec. . Section 321.46, subsection 3, paragraph g, Code 1981, as amended by 1982 Iowa Acts, chapter 1062, section 8, is amended to read as follows:

g. The credit allowed shall not exceed the amount of the registration fee for the vehicle acquired. ~~If the registration fee upon application is delinquent, the applicant shall be required to pay the delinquent fee from the first day the registration fee was due prorated to the month of application for new title.~~

Sec. . Section 321.46, Code 1981, as amended by 1982 Iowa Acts, chapter 1062, section 8, is amended by inserting after subsection 3 the following new subsection:

NEW SUBSECTION. 4. If the registration fee upon application is delinquent, the applicant shall be required to pay the delinquent fee from the first day the registration fee was due prorated to the month of application for new title."

2. By striking page 7, line 25 through page 8, line 22 and inserting in lieu thereof the following section:

"Sec. . 1982 Iowa Acts, chapter 1062, section 35, is amended by adding the following new subsection:

NEW SUBSECTION. 4. When a registration fee

computed contains a fractional part of a dollar, the fee shall be computed to the nearest whole dollar. However, the fee shall not be less than one dollar."

3. Page 9, by inserting after line 1 the following section:

"Sec. . Section 321.108, Code 1983, is repealed."

4. Renumber sections and correct internal references as are necessary in accordance with this amendment.

WOODS of Polk

H–3524

Amend House File 612 as follows:

1. Page 1, line 19, by inserting after the word "issue" the words "search or arrest".

2. Page 1, by inserting after line 21 the following:

" . The parties to a juvenile court proceeding have the right to have the proceeding heard by a judge of the juvenile court rather than by a referee. The parties shall be advised of the right prior to the proceeding."

3. By renumbering as necessary.

DODERER of Johnson

H–3527

Amend House File 555 as follows:

1. Page 1, line 3, by striking the words ", cogeneration facilities,".

2. Page 1, by striking lines 19 through 31.

3. Page 2, line 14, by striking the words ", cogeneration facilities,".

4. Page 2, line 18, by striking the word "producers," and inserting in lieu thereof the word "producers".

5. Page 2, line 19, by striking the word "cogenerators,".

6. Page 2, lines 22 and 23, by striking the words ", cogeneration facilities,".

7. Page 2, line 26, by striking the words ", cogeneration facility,".

8. Page 2, line 32, by striking the word ", cogeneration,".

9. Page 3, lines 22 and 23, by striking the words "cogeneration and".

10. Page 3, line 31, by striking the words ",

cogeneration facility,".
11. Page 4, line 5, by striking the words ", cogeneration facility,".
12. Page 4, line 10, by striking the words "or cogeneration facility".
13. Page 4, lines 22 and 23, by striking the words ", cogeneration facilities,".
14. Page 4, line 34, by striking the words ", cogeneration facility,".
15. Amend the title, line 2, by striking the words ", cogeneration facilities,".

ANDERSON of Audubon
VAN GERPEN of Black Hawk

H–3529

Amend House amendment H–3512, to House File 206 as follows:
1. Page 1, line 3, by striking the words "van or truck" and inserting in lieu thereof the words "light delivery truck, panel delivery truck, pickup, multipurpose vehicle, motor truck, truck tractor, road tractor, special truck, or motor home".

SPEAR of Lee

H–3531

Amend Senate File 496 as amended, passed, and reprinted by the Senate as follows:
1. Page 1, by inserting after line 7 the following:
"Sec. . Section 728.2, Code 1983, is amended to read as follows:
728.2 DISSEMINATION AND EXHIBITION OF OBSCENE MATERIAL TO MINORS. ~~Any~~ A person, other than the parent or guardian of the minor, who knowingly disseminates or exhibits obscene material to a minor, including the exhibition of obscene material so that it can be observed by a minor on or off the premises where it is displayed, is guilty of a public offense and ~~shall~~ upon conviction ~~be~~ is guilty of ~~a serious~~ an aggravated misdemeanor.
Sec. . Section 728.3, Code 1983, is amended to read as follows:
728.3 ADMITTING MINORS TO PREMISES WHERE OBSCENE MATERIAL IS EXHIBITED. ~~Any~~ A person who knowingly sells, gives, delivers, or provides a minor with a pass or admits a minor to premises where obscene material is exhibited is guilty of a public offense

and ~~shall~~ upon conviction ~~be~~ is guilty of ~~a serious~~ an aggravated misdemeanor."

2. Page 1, by inserting after line 35 the following:

"However, this section does not apply to law enforcement officers, court personnel, licensed physicians, licensed psychologists, or attorneys in the performance of their official duties."

3. Page 2, line 4, by striking the words "~~or intended to be furnished~~" and inserting in lieu thereof the words "or intended to be furnished".

4. Page 2, line 8, by striking the words "~~or intended to be used~~" and inserting in lieu thereof the words "or intended to be used".

5. Renumber as necessary.

TABOR of Jackson

H–3540

Amend House File 608 as follows:

1. Page 34, line 14, by striking the word "INSTITUTIONAL" and inserting in lieu thereof the word "COUNTY".

SPEAR of Lee

H–3541

Amend House File 608 as follows:

1. Page 57, line 24, by striking the word "of" and inserting in lieu thereof the word "~~of~~".

SPEAR of Lee

H–3542

Amend House File 613 as follows:

1. Page 7, line 34, by inserting after the word "purpose" the words "nor shall they be used for administration within the department of health".

LONERGAN of Boone

H–3543

Amend Senate File 470 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 2, by inserting after the figure "19A" the words and figure "or the Iowa civil rights commission under chapter 601A, or any other regulatory agency".

BUHR of Polk

H–3544

Amend House File 608 as follows:

1. Page 63, line 27, by striking the word "only" and inserting in lieu thereof the word "~~only~~".

2. Page 63, line 27, by inserting after the word "subparagraph" the word "only".

SPEAR of Lee

H–3545

Amend House File 608 as follows:

1. Page 67, line 26, by inserting after the word "~~such~~" the word "purpose".

SPEAR of Lee

H–3546

Amend House File 608 as follows:

1. Page 66, line 29, by inserting after the word "January" the words "which is not a Saturday, Sunday or holiday".

SPEAR of Lee

H–3547

Amend House File 608 as follows:

1. Page 58, line 12, by striking the word "order" and inserting in lieu thereof the word "order,".

SPEAR of Lee

H–3548

Amend House File 608 as follows:

1. Page 39, line 10, by inserting after the word "value." the following: "A society may meet the requirement of owning or leasing land, buildings, and improvements through ownership by a joint entity under chapter 28E, of which the society is a part."

SPEAR of Lee

H–3549

Amend House File 422 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. . Section 28E.5, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. If the agreement establishes an entity whose purposes include issuing revenue bonds under chapter 28F for financing electric power facilities, the agreement shall specify that each public agency subscribing to the agreement is entitled to at least one full-voting member on the governing body of the entity."

TOFTE of Winneshiek
ROSENBERG of Story
OSTERBERG of Linn

H—3550

Amend House File 608 as follows:

1. Page 25, line 7, by striking the word "co-operate" and inserting in lieu thereof the words "~~co-operate~~ cooperate".

2. Page 25, line 17, by striking the word "co-ordinator" and inserting in lieu thereof the word "coordinator".

3. Page 25, line 20, by striking the word "co-ordinator" and inserting in lieu thereof the words "~~co-ordinator~~ coordinator".

4. Page 25, line 21, by striking the word "co-ordination" and inserting in lieu thereof the words "~~co-ordination~~ coordination".

5. Page 25, line 25, by striking the word "co-ordinator" and inserting in lieu thereof the words "~~co-ordinator~~ coordinator".

6. Page 25, line 28, by striking the word "co-ordinated" and inserting in lieu thereof the words "~~co-ordinated~~ coordinated".

7. Page 26, line 15, by striking the word "co-ordinator" and inserting in lieu thereof the words "~~co-ordinator~~ coordinator".

SPEAR of Lee

H—3554

Amend House File 490 as follows:

1. Page 1, line 25, by inserting after the words "engaged in" the word "non-military".

LLOYD-JONES of Johnson
OSTERBERG of Linn
HAMMOND of Story
KREWSON of Polk
CARPENTER of Polk
HOLVECK of Polk

H–3555

Amend amendment H–3549 to House File 422 as follows:

1. Page 1, line 12, by inserting after the word "entity." the following: "The full voting member of each public agency that is a city shall be an elector of said city elected by the voters of the city for a term of office not to exceed two years."

VAN MAANEN of Mahaska

H–3556

Amend Senate File 509 as follows:

1. Page 1, by inserting after line 22 the following:

"Sec. 3. Chapter 185, Code 1983, is amended by adding the following new section:

NEW SECTION. 185.35 EXEMPTION FROM COLLECTION ON FEDERAL LOAN–CERTIFICATION OF ASSESSMENT. There shall be available at all agricultural soil conservation service offices where an assessment will be collected upon the extension of a federal price support loan, an affidavit which a producer may sign to certify that the producer intends to repurchase the soybeans for the producer's own use and that the soybeans repurchased will not be sold. If the producer pays the assessment at the time the loan is extended, there shall be forms available to the producer upon repurchase of the soybeans which will certify upon sale of the soybeans to any other purchaser authorized to collect the assessment that the assessment has already been collected."

2. Page 2, by inserting after line 7 the following:

"Sec. 6. Chapter 185C, Code 1983, is amended by adding the following new section:

NEW SECTION. 185C.35 EXEMPTION FROM COLLECTION ON FEDERAL LOAN–CERTIFICATION OF ASSESSMENT. There shall be available at all agricultural soil conservation service offices where an assessment will be collected upon the extension of a federal price support loan, an affidavit which a producer may sign to certify that the producer intends to repurchase the corn for the producer's own use and that the corn repurchased will not be sold. If the producer pays the assessment at the time the loan is extended, there shall be forms available to the producer upon repurchase of the corn which will certify upon sale of the corn to any other purchaser authorized to collect the assessment that the assessment has already been collected."

SCHROEDER of Pottawattamie

H–3557

Amend House File 476 as follows:

1. Page 2, by adding the following after line 12:

"6. Report annually to the general assembly on the activities of the ombudsman's office."

2. Page 3, line 4, by adding after the word "render." the following: "The commission shall coordinate the development of any rules with the mental health and mental retardation commission to the extent the rules would apply to a facility primarily serving persons who are mentally ill, mentally retarded, or developmentally disabled."

3. Page 3, line 11, by adding after the word "designee." the following: "The care review committee for any facility caring primarily for persons who are mentally ill, mentally retarded, or developmentally disabled shall only be appointed after consultation with the director of the division of mental health and mental retardation on the proposed appointments."

RUNNING of Linn

H–3559

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 20, by inserting after the word "drugs" the words "and devices".

2. Page 1, line 23, by inserting after the word "assistant" the words "not staffing a remote clinic".

3. Page 1, by inserting after line 28 the following:

"A physician's assistant who staffs a remote clinic which does not have pharmacy services reasonably available may issue, upon the specific order of the supervising physician, no more than a seven-day supply of a prescription drug or controlled substance."

Committee on Human Resources

H–3564

Amend Senate File 159 as passed by the Senate, as follows:

1. Page 1, by inserting after line 17 the following:

"When equipment or real estate is purchased while an agreement under chapter 28E is in effect to provide the fire protection service or ambulance service, or both services, the township receiving the service

shall be credited with a share of the value of the equipment or real estate acquired in proportion to the amount of financial support to be contributed by the township. The proportionate share of each party shall be included in the agreement as provided in section 28E.6, subsection 2."

Committee on Local Government

H–3566

Amend House File 608 as follows:

1. Page 23, by striking line 9 and inserting in lieu thereof the following:

"24.22 TRANSFER OF ~~ACTIVE~~ FUNDS–~~POOR FUND~~. Upon the ap-".

SPEAR of Lee

H–3570

Amend amendment H–3504 to Senate File 431 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 5, by adding the following after the word "aging": "or the director's designee".

ZIMMERMAN of Dallas

H–3571

Amend Senate File 420 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 7, by inserting after the word "of" the words "not more than".

SPEAR of Lee

H–3574

Amend Senate File 414 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 12 through 14.

2. By renumbering as necessary.

Committee on Human Resources

H–3581

Amend Senate File 470 as amended, passed and reprinted by the Senate, as follows:

1. Page 3, line 14, by striking the word "that"

and inserting in lieu thereof the words "for which the treasurer of state".

2. Page 3, line 19, by inserting after the word "by" the words "the treasurer of state for".

Committee on Small Business and Commerce

H–3583

Amend Senate File 178 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, lines 5 and 6, by striking the words "medical or surgical care and treatment" and inserting in lieu thereof the words "vision care services".

2. Page 1, line 7, by striking the words "care and treatment" and inserting in lieu thereof the word "services".

3. Page 1, lines 9 and 10, by striking the words "care and treatment if the care and treatment" and inserting in lieu thereof the words "services if the services".

4. Page 1, line 34, by striking the words "medical or surgical care and treatment" and inserting in lieu thereof the words "vision care services".

5. Page 1, line 35, by striking the word "care".

6. Page 2, line 1, by striking the words "and treatment" and inserting in lieu thereof the word "services".

7. Page 2, line 3, by striking the words "care and treatment" and inserting in lieu thereof the word "services".

8. Page 2, line 24, by striking the words "medical or surgical care and treatment" and inserting in lieu thereof the words "vision care services".

9. Page 2, lines 27 and 28, by striking the words "care and treatment when the care and treatment" and inserting in lieu thereof the words "services when the services".

Committee on Small Business and Commerce

H–3584

Amend Senate File 448, as amended, passed and reprinted by the Senate, as follows:

1. Page 12, lines 6, 7, and 8, by striking the words "or, in lieu of the collective bargaining agreement, defined as eight o'clock a.m. to four o'clock p.m.".

2. Page 12, line 20, by striking the words "Annually, extracurricular" and inserting in lieu thereof the word "Extracurricular".

Committee on Education

H–3586

Amend amendment S–3072, to Senate File 166 as amended and passed by the Senate, as follows:

1. Page 1, by striking lines 2 through 20 and inserting in lieu thereof the following:

"1. Page 1, by striking line 7, and inserting in lieu thereof the following:

"Sec. 2. This Act takes effect at such time as revenues are appropriated to fund the additional district judgeships created by this Act. As soon as possible after the effective date of this Act the supreme court administrator of the judicial department shall rank each judicial election district in descending order based on the application of the judgeship formula provided in section 602.18. The additional judgeships that are created by this Act shall be apportioned, one to a judicial election district, among the four judicial election districts having the lowest percentage of their judgeship entitlement under the judgeship formula." "

Committee on Judiciary and Law Enforcement

H–3590

Amend House File 608 as follows:

1. Page 28, by striking lines 17 through 24 and inserting in lieu thereof the following:

"66.23 EFFECT OF DISMISSAL. If the petition ~~be~~ for removal is dismissed ~~on final hearing on the merits~~, the defendant shall ~~have judgment against the state, if the action was instituted by the attorney general, and against the county, city or other subdivision of the state if the action is otherwise instituted,~~ be reimbursed for the reasonable and necessary expenses incurred by the defendant in making ~~his~~ a defense, including ~~a~~ reasonable ~~attorney fee, to be fixed~~ attorney's fees, as determined by the court ~~or judge~~. If the petition for removal is filed by the attorney general, the state shall pay the expenses. If the petition for removal is filed by the county attorney or special prosecutor, the expenses shall be paid by the political subdivision of the state represented by the county attorney or special prosecutor. ~~Such~~ The".

SPEAR of Lee

H–3592

Amend Senate File 420, as amended, passed, and reprinted by the Senate as follows:

1. Page 1, line 9, by inserting after the word "instrument." the following: "However, if within ten days of the dishonor of the instrument the holder commences collection on the instrument, the holder may assess a surcharge of not more than ten dollars for each dishonored instrument."

SCHROEDER of Pottawattamie

H–3595

Amend Senate File 464 as follows:

1. Page 13, by striking lines 33 and 34 and inserting in lieu thereof the words "of any public or private institution or program subject to the department's accreditation, funding, supervision or control.".

KREWSON of Polk

H–3596

Amend Senate File 464 as follows:

1. Page 16 by striking lines 21 through 24 and inserting in lieu thereof: "believed by them."

KREWSON of Polk

H–3600

Amend Senate File 464, as amended, passed, and reprinted by the Senate, as follows:

1. Page 5, line 24, by inserting after the word "including" the words "but not limited to".

KREWSON of Polk

H–3604

Amend Senate File 420 as amended, passed and reprinted by the Senate as follows:

1. Page 1, lines 7 and 8, by striking the words "fifteen dollars or ten percent" and inserting in lieu thereof the words "five dollars or eight percent".

MAULSBY of Calhoun

H–3605

Amend Senate File 420 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 2, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

2. Page 1, by inserting after line 9 the following:

"NEW SUBSECTION. 6. If an instrument is dishonored because of an error by the payor bank or the payor bank failed to timely apply a deposit, then the bank is liable to the maker for the surcharge and any other expenses incurred by the maker as a result of the bank's error."

MAULSBY of Calhoun

H–3610

Amend Senate File 474, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, lines 14 through 16, by striking the words "withdrawing or ordering withdrawal of the patient's blood for diagnostic purposes,".

SCHROEDER of Pottawattamie

H–3617

Amend Senate File 345, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 23 through 28 and inserting in lieu thereof the following:

"5. Notwithstanding subsection 1, a physician's assistant supervised by a physician as provided in chapter 148C may dispense prescription drugs and controlled substances upon the order of the physician. Subsection 2 does not apply to physicians' assistants under this subsection."

2. By renumbering as necessary.

MULLINS of Kossuth

H–3622

Amend Senate Concurrent Resolution 13, as amended and passed by the Senate, as follows:

1. Page 4, by inserting after line 7 the following:

"*Be It Further Resolved*, That projects authorized in this resolution for the state university of Iowa shall be constructed within the city limits of Iowa City; for Iowa state university, within the city

limits of Ames; and for the university of northern Iowa, within the city limits of Cedar Falls."

WOODS of Polk

H–3631

Amend Senate File 448 as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 1, line 10 through page 2, line 12, and inserting in lieu thereof the following:

"Sec. 2. Section 279.13, Code 1983, is amended to read as follows:

279.13 CONTRACTS WITH OR ASSIGNMENT OF TEACHERS—AUTOMATIC CONTINUATION.

1. Contracts with teachers, which for the purpose of this section means all certificated employees of a school district and nurses employed by the board, excluding superintendents, assistant superintendents, principals, and assistant principals, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract may include employment for a term not exceeding the ensuing school year, except as otherwise authorized. The term of assignment of a teacher shall not exceed the ensuing school year.

The contract or assignment is invalid if the teacher is under contract or assignment with another board of directors to teach during the same time period until a release from the other contract or assignment is achieved. ~~The~~ A contract or notice of assignment shall be signed by the president of the board when tendered~~, and after it is~~. A contract shall be signed by the teacher~~, the~~. A contract or notice of assignment shall be ~~filed with the secretary of the board before the teacher enters into performance under the contract~~ maintained with the personnel records of the school district.

2. If a teacher is a member of a bargaining unit represented by a certified bargaining representative and a collective bargaining agreement has been negotiated under chapter 20, individual contracts shall not be issued. The board shall issue a written notice of assignment to each teacher. The board shall notify the certified bargaining representative of the length of the school year.

~~2~~ 3. The contract or assignment shall remain in force and effect for the period stated in the contract or notice of assignment and shall be automatically continued for equivalent periods except as modified

or terminated by mutual agreement of the board of directors and the teacher or as terminated in accordance with ~~the provisions specified in~~ this chapter. A contract shall not be offered or an assignment shall not be made by the employing board to a teacher under its jurisdiction prior to March

Page 2

15 of any year. A teacher who has not accepted a contract or an assignment for the ensuing school year ~~tendered by the employing board~~ may resign effective at the end of the current school year by filing a written resignation with the secretary of the board. The resignation must be filed not later than the last day of the current school year or the date specified by the employing board for return of the contract or twenty-one days after the notice of assignment is given, whichever date occurs first. However, a teacher shall not be required to return a contract to the board or to resign less than twenty-one days after the contract has been offered.

~~3~~ 4. If the provisions of a contract executed or automatically renewed under this section conflict with a collective bargaining agreement negotiated under chapter 20 and effective when the contract is executed or renewed, the provisions of the collective bargaining agreement shall prevail."

2. Page 15, by striking lines 29 and 30.

CARPENTER of Polk

H–3632

Amend Senate File 420 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, lines 8 and 9, by striking the words, "or ten percent of the amount of the instrument, whichever is greater,".

GRONSTAL of Pottawattamie

H–3633

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 23 and 24 and inserting in lieu thereof the following:

"5. Notwithstanding subsection 1, a physician's assistant supervised by a physician as provided in chapter 148C may dispense upon the order of the physician, no more".

SCHROEDER of Pottawattamie

H–3634

Amend Senate File 345, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 2 through 31 and inserting in lieu thereof the following:

"1. As used in this section:

a. "Dispense" means the preparation, delivery, and distribution of a prescription drug pursuant to a lawful order of a practitioner in a suitable container appropriately labeled for subsequent administration to or use by a patient or other individual entitled to receive the prescription drug.

b. "Practitioner" means a person licensed to practice medicine and surgery under chapter 148, podiatry under chapter 149, osteopathy under chapter 150, osteopathic medicine and surgery under chapter 150A, or dentistry under chapter 153.

c. "Prescription drugs" means a drug, medicine, or controlled substance under chapter 204, which by law can be dispensed for human use only by a practitioner or by a pharmacist licensed under chapter 155 upon the order of a practitioner.

2. A practitioner or pharmacist may delegate nonjudgmental mechanical dispensing functions to qualified hospital personnel, or to an agent of the practitioner or pharmacist under the practitioner's or pharmacist's direction and supervision, including the dispensing of controlled substances under chapter 204, notwithstanding any other contrary provision of the law. The examining boards which license practitioners and pharmacists may adopt rules pursuant to chapter 17A establishing criteria for the delegation of dispensing functions."

2. Title page, by striking lines 1 through 4 and inserting in lieu thereof the words "An Act authorizing specified professionals to delegate nonjudgmental or mechanical dispensing functions."

HANSON of Delaware
PARKER of Jasper

H–3635

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 15, by striking the words "seventy-two hour" and inserting in lieu thereof the word "one-week".

2. Page 1, line 25, by striking the words "seventy-two hour" and inserting in lieu thereof the word "one-week".

SCHROEDER of Pottawattamie

H–3637

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 15, by striking the words "prepackaged, prelabeled".

2. Page 1, line 25, by striking the words "prepackaged, prelabeled".

MULLINS of Kossuth
McKEAN of Jones
FOGARTY of Palo Alto
GROTH of Buena Vista

H–3638

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, lines 11 and 12, by striking the words "in the pharmacist's or medical practitioner's physical presence".

MULLINS of Kossuth
McKEAN of Jones
FOGARTY of Palo Alto
GROTH of Buena Vista

H–3639

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 9 through 12 and inserting in lieu thereof the words: "pensing functions to a nurse, assistant, or other qualified person under the pharmacist's or medical practitioner's direction or supervision."

HANSON of Delaware
PARKER of Jasper

H–3640

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the board of pharmacy examiners two hundred fifty thousand (250,000) dollars, or so much thereof as is necessary, to be

distributed, according to rules adopted by the board, to pharmacists in this state whose income is below one hundred ten percent of the federal poverty level."

2. Title page, by striking lines 1 through 4 and inserting in lieu thereof the words "An Act relating to the economic development of the pharmacy industry in this state."

PARKER of Jasper

H–3641

Amend Senate File 345, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 13, by inserting after the word "nurse" the words ", licensed practical nurse, or a staff assistant of a medical practitioner or another qualified individual under the medical practitioner's direction or supervision".

LONERGAN of Boone
PARKER of Jasper

H–3642

Amend Senate File 345, as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 147.76, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. No later than January 1, 1984, the board of medical examiners, the board of dental examiners, the board of podiatry examiners shall adopt rules pursuant to chapter 17A establishing criteria by which a person licensed by the respective examining board may delegate nonjudgmental or mechanical functions in the dispensing of prescription drugs, including controlled substances under chapter 204, to a nurse, assistant, or other qualified person under the licensed person's direction or supervision."

2. Title page, by striking lines 1 through 4 and inserting in lieu thereof the following: "An Act requiring certain medical professional boards to adopt rules to delegate nonjudgmental or mechanical dispensing functions to certain individuals."

PARKER of Jasper
RENAUD of Polk
BLACK of Jasper

H–3648

Amend the amendment, H–3591, to Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 3 through 5.

McKEAN of Jones

H–3651

Amend to Senate File 166 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 7 through 21 and inserting in lieu thereof the following:

"Sec. 2. This Act takes effect at such time as revenues are appropriated to fund the additional district judgeships created by this Act. As soon as possible after the effective date of this Act the supreme court administrator of the judicial department shall rank each judicial election district in descending order based on the application of the judgeship formula provided in section 602.18. The additional judgeships that are created by this Act shall be apportioned, one to a judicial election district, among the four judicial election districts having the lowest percentage of their judgeship entitlement under the judgeship formula."

JAY of Appanoose

H–3656

Amend amendment, H–3578, to Senate File 223 as follows:

1. Page 13, by inserting after line 28 the following:

"Sec. . There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the insurance commissioner the sum of sixty-five thousand (65,000) dollars, or so much thereof as is necessary, for the expense of the administration of title insurance in the state."

SWEARINGEN of Keokuk
CHAPMAN of Linn
ROSENBERG of Story
JAY of Appanoose

H–3657

Amend amendment, H–3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 5, by striking lines 46 through 50 and inserting in lieu thereof the words "to, rules adopted by the commissioner."

SWEARINGEN of Keokuk
CHAPMAN of Linn
JAY of Appanoose

H–3666

Amend Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 97, by striking lines 1 through 3 and inserting in lieu thereof the following:

"2. The state comptroller shall remit the amounts certified under subsection 1 to the respective county treasurers for the benefit of the temporary school fund. Commencing".

2. Page 97, line 4, by striking the words "in July" and inserting in lieu thereof the word and figure "July 1".

GROTH of Buena Vista

H–3667

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 10, by inserting after line 28 the following:

"4. The state shall reimburse a county or city for additional or expanded court rooms or offices for judicial officers which are provided by the county or city on or after July 1, 1984.

The state shall reimburse a county or city for additional or expanded offices for other components of the court system which are provided by the county or city in and after the second year in which the component has become a responsibility of the state.

The supreme court shall include in its annual operating budget the specific amounts to be expended for additional or expanded court rooms or offices pursuant to this subsection."

WELDEN of Hardin

H–3670

Amend the amendment, H–3591, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 35 through 49.

ROSENBERG of Story
KREWSON of Polk

H–3671

Amend amendment, H–3591, to Senate File 495, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 3 through 5 and inserting in lieu thereof the following:

"1. Page 14, by striking lines 12 through 15 and inserting in lieu thereof the following: "judicial district. A clerk of the district court shall not receive a salary in excess of one hundred ten percent of the highest salary paid to the county auditor, the county treasurer, or the county recorder in the county in which the clerk serves. However, a clerk may receive a salary in excess of the one hundred ten percent amount if the amount is approved by the judicial council established in section 602.1202. The judicial council shall report any salaries approved above the one hundred ten percent amount to the general assembly."

JAY of Appanoose

H–3674

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 143, by inserting after line 13 the following:

"However, if the personal property is of a historical nature, the personal property shall not become the property of the judicial department and title shall not be transferred to the state. The county shall make such personal property available to the judicial department for the department's use within the county courthouse."

SWARTZ of Marshall
PARKER of Jasper

H–3678

Amend the amendment, H–3591, to Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by striking lines 35 through 49 and inserting in lieu thereof the following:

"3. By striking page 21, line 11 through page 31, line 20."

2. Page 138, line 6, by striking the figure "605A".

3. By renumbering as necessary.

SCHROEDER of Pottawattamie

H–3679

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 143, line 21, by inserting after the word "furnishings" the words ", except antiques and works of art".

2. Page 143, line 29, by inserting after the word "storage" the words ", except antiques and works of art".

HANDORF of Marshall
RENKEN of Grundy
SWARTZ of Marshall
ANDERSON of Audubon
BRANSTAD of Winnebago
ROYER of Page

H–3682

Amend Senate File 495, as amended, passed and reprinted by the Senate, as follows:

1. Page 143, line 13, by inserting after the word "purposes." the following: "However, prior to the date when the property referred to in subsection 2, paragraphs c, d, e, and g becomes state property, the supreme court shall negotiate with the county boards of supervisors in order to determine which specific property is to become state property. The supreme court shall include the fair market value of the property in its budget request to the general assembly."

MAULSBY of Calhoun
HANDORF of Marshall
VAN MAANEN of Mahaska

H–3689

Amend amendment H–3682 to page 143 of Senate File 495 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 9 through 12 and inserting in lieu thereof the following: "specific property is to become state property."

McINTEE of Black Hawk
PARKER of Jasper

H–3698

Amend Senate File 420 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 3 through 6 and inserting in lieu thereof the following:

"NEW SUBSECTION. 5. If the holder of a dishonored instrument has mailed to the maker, at the maker's last known address, a notice of dishonor and a demand for payment and the maker has not paid the amount due within ten days of the mailing of the notice, then".

2. Page 1, line 9, by inserting after the word "instrument." the following: "If the maker pays the amount due within ten days of mailing of the notice, the holder may assess a surcharge not to exceed five dollars for each instrument for which the amount due has been paid."

3. Page 1, by striking lines 21 through 24 and inserting in lieu thereof the following: "plaintiff has mailed to the maker, at the maker's last known address, a notice of dishonor and a demand for payment and the maker had not paid the amount due within ten days of the mailing of the notice. In such an action by a person not represented by an".

MILLER of Woodbury

H–3699

Amend amendment, H–3578, to Senate File 223 as passed by the Senate, as follows:

1. Page 6, line 41, by striking the words "and outside".

HANSON of Delaware
KREWSON of Polk
SCHNEKLOTH of Scott
ROSENBERG of Story

H–3700

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, line 13, by striking the words "A proposed termination appealed to" and inserting in lieu thereof the words "Issues disposed of by a".

2. Page 4, line 14, by striking the word "is" and inserting in lieu thereof the word "are".

3. Page 10, by striking line 22 and inserting in lieu thereof the words "by substantial evidence in the record".

SHOULTZ of Black Hawk

H–3701

Amend Senate File 391 as passed by the Senate, as follows:

1. Page 1, line 34, by striking the words "or not undertake" and inserting in lieu thereof the words "~~or not undertake~~".

SPEAR OF Lee

H–3703

Amend Senate File 448 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 257.24, Code 1983, is amended to read as follows:

257.24 SALARIES OF SUPERINTENDENT AND ASSISTANTS.

The salary of the superintendent of public instruction shall be fixed by the general assembly. The salary of the deputy state superintendent shall be fixed by the state board~~, however, such~~. However, the deputy state superintendent's salary and the salary of any other employee of the department of public instruction shall not exceed eighty-five percent of the salary of the state superintendent. All appointments to the professional staff of the department of public instruction shall be without reference to political party affiliation, religious affiliation, sex, or marital status, but shall be based solely upon fitness, ability and proper qualifications for the particular position. The professional staff, including the state superintendent, shall serve at the discretion of the state board~~; provided, however, that no such person~~. However,

the professional staff shall not be dismissed for cause without at least ninety days' notice, except in cases of conviction of a felony or cases involving moral turpitude. In cases of procedure for dismissal, the accused shall have the same right to notice and hearing as teachers in the public school systems as provided in ~~section 279.27~~ sections 279.13 through 279.19, or as much thereof as may be applicable.

Sec. 2. Section 273.3, subsection 12, Code 1983, is amended to read as follows:

12. Employ personnel to carry out the functions of the area education agency which shall include the employment of an administrator who shall possess a certificate issued under section 260.9. The administrator shall be employed pursuant to section 279.20 ~~and sections 279.23, 279.24 and 279.25~~. The salary for an area education agency administrator shall be established by the board based upon the previous experience and education of the administrator. ~~The provisions of section~~ Sections 279.13 through 279.19 shall apply to the area education agency board and to all ~~teachers~~ applicable certificated personnel employed by the area education agency. ~~The provisions of sections 279.23, 279.24 and 279.25 shall apply to the area education board and to all administrators employed by the area education agency.~~

Page 2

Sec. 3. Section 275.33, subsection 1, Code 1983, is amended to read as follows:

1. The terms of employment of superintendents, principals, and teachers, for the school year following the effective date of the formation of the new district shall not be affected by the formation of the new district, except in accordance with ~~the provisions of~~ sections 279.15 ~~to 279.18 and 279.24~~ through 279.19.

Sec. 4. Section 275.56, Code 1983, is amended to read as follows:

275.56 INCREASING ENROLLMENT. If the enrollment of a school district increases or is expected to increase because an adjacent district has dissolved or is expected to dissolve, the board of directors of the school district shall determine whether there is a need to hire additional certificated or noncertificated employees. If the board of directors determines that there is a need to hire additional employees, the board shall determine the nature and number of the necessary new positions. Individuals who were employees of the dissolved district may apply for the new positions. The board shall hire those

applicants who were employees of the dissolved district whenever the applicant is certificated for the new position or, in the case of noncertificated personnel, is otherwise qualified. If two employees of the dissolved district apply for a single certificated position, the applicant who is best qualified in the opinion of the board shall be hired. The board is not required to hire applicants who were employees of the dissolved district if the district has been dissolved for one or more school years. Applicants who are re-employed under this section shall maintain in the re-employing district vacation, salary or alternatively placement on a salary schedule based on the employee's years of experience, sick leave, and completion of probationary status as defined by section ~~279.19~~ 279.15, subsection 2."

2. Page 4, line 22, by striking the figure "3" and inserting in lieu thereof the figure "4".

3. Page 5, line 30, by striking the figure "5" and inserting in lieu thereof the figure "6".

4. Page 11, line 4, by striking the figure "3" and inserting in lieu thereof the figure "4".

5. Page 11, line 34, by striking the figure "5" and inserting in lieu thereof the figure "6".

6. Page 14, by inserting after line 27 the following section:

"Sec. . Section 279.21, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Page 3

The board of directors of a school district may employ principals, under ~~the provisions of~~ section ~~279.23~~ 279.13. A principal shall hold a current valid principal's certificate. Notwithstanding the provisions of section ~~279.23~~ 279.13, after serving at least nine months, a principal may be employed for a term of not to exceed two years."

7. Page 15, by striking line 29 and inserting in lieu thereof the following:

"Sec. . Sections 272A.8, 279.23, 279.24, 279.25, and 279.27, Code 1983,".

8. By numbering and renumbering sections as necessary.

SHOULTZ of Black Hawk

H—3705

Amend Senate File 495 as amended, passed, and reprinted by the Senate, as follows:

1. Page 97, line 4, by striking the figure "1985" and inserting in lieu thereof the figure "1986".

2. Page 97, line 7, by striking the figure "1984" and inserting in lieu thereof the figure "1985".

3. Page 97, line 27, by striking the words and figures "July 1, 1983 and ending June 30, 1984" and inserting in lieu thereof the words and figures "July 1, 1984 and ending June 30, 1985".

4. Page 97, by striking line 31 and inserting in lieu thereof the words and figures "year commencing July 1, 1985 and ending June 30, 1986, the".

5. Page 97, by striking line 35 and inserting in lieu thereof the words and figures "year commencing July 1, 1986 and ending June 30, 1987, the".

6. Page 98, by striking line 4 and inserting in lieu thereof the words and figures "year commencing July 1, 1987 and ending June 30, 1988, the".

7. Page 98, line 8, by striking the figure "1987" and inserting in lieu thereof the figure "1988".

8. Page 137, line 31, by striking the figure "1983" and inserting in lieu thereof the figure "1984".

9. Page 138, line 16, by striking the figure "1983" and inserting in lieu thereof the figure "1984".

10. Page 138, line 21, by striking the figure "1984" and inserting in lieu thereof the figure "1985".

11. Page 138, line 22, by striking the figure "1984" and inserting in lieu thereof the figure "1985".

12. Page 138, line 25, by striking the figure "1985" and inserting in lieu thereof the figure "1986".

13. Page 138, line 27, by striking the figure "1985" and inserting in lieu thereof the figure "1986".

14. Page 138, line 28, by striking the figure "1985" and inserting in lieu thereof the figure "1986".

15. Page 138, line 30, by striking the figure "1985" and inserting in lieu thereof the figure "1986".

16. Page 138, line 32, by striking the figure "1985" and inserting in lieu thereof the figure "1986".

17. Page 138, line 34, by striking the figure "1986" and inserting in lieu thereof the figure "1987".

18. Page 139, line 1, by striking the figure "1986" and inserting in lieu thereof the figure "1987".

19. Page 139, line 2, by striking the figure "1986" and inserting in lieu thereof the figure "1987".

20. Page 139, line 6, by striking the figure "1986" and inserting in lieu thereof the figure "1987".

21. Page 139, line 9, by striking the figure "1987" and inserting in lieu thereof the figure "1988".

22. Page 139, line 10, by striking the figure

Page 2

"1983" and inserting in lieu thereof the figure "1984".
23. Page 139, line 11, by striking the figure "1987" and inserting in lieu thereof the figure "1988".
24. Page 139, line 19, by striking the figures and words "1983, and ending June 30, 1987" and inserting in lieu thereof the figures and words "1984, and ending June 30, 1988".
25. Page 139, line 20, by striking the figure "1987" and inserting in lieu thereof the figure 1988".
26. Page 140, line 4, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
27. Page 140, line 5, by striking the figure "1987" and inserting in lieu thereof the figure "1988".
28. Page 141, line 17, by striking the figures and words "1984, and ending June 30, 1986" and inserting in lieu thereof the figures and words "1985, and ending June 30, 1987".
29. Page 145, line 8, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
30. Page 145, line 10, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
31. Page 145, line 12, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
32. Page 145, line 14, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
33. Page 145, line 30, by striking the figure "1985" and inserting in lieu thereof the figure "1986".
34. Page 145, line 33, by striking the figure "1985" and inserting in lieu thereof the figure "1986".
35. Page 146, line 14, by striking the figure "1985" and inserting in lieu thereof the figure "1986".
36. Page 146, line 17, by striking the figure "1985" and inserting in lieu thereof the figure "1986".
37. Page 146, line 27, by striking the figure "1985" and inserting in lieu thereof the figure "1986".
38. Page 147, line 5, by striking the figure "1985" and inserting in lieu thereof the figure "1986".
39. Page 147, by inserting after line 12 the following:

"Sec. . COURT REORGANIZATION STUDY. The legislative council is directed to establish a committee to study the implementation schedule for the court reorganization provided in this Act, during the interim between this general assembly's first and second session. The membership of the study committee shall consist of five senators appointed by the president of the senate, five representatives appointed by the speaker of the house, and two persons appointed by the governor. This section takes effect July 1, 1983."

Page 3

40. Page 147, line 17, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
41. Page 147, line 18, by striking the figure "1984" and inserting in lieu thereof the figure "1985".
42. Page 147, line 26, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
43. Page 147, line 27, by striking the figure "1984" and inserting in lieu thereof the figure "1985".
44. Page 147, line 33, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
45. Page 147, line 34, by striking the figure "1984" and inserting in lieu thereof the figure "1985".
46. Page 148, line 5, by striking the figure "1983" and inserting in lieu thereof the figure "1984".
47. Page 148, line 6, by striking the figure "1984" and inserting in lieu thereof the figure "1985".

SCHROEDER of Pottawattamie

H–3708

Amend house amendment, H–3578, to Senate File 223, as passed by the Senate, as follows:
1. Page 6, by inserting before line 1 the following: "Title insurance may only be sold or provided by a nonprofit corporation organized under chapter 504 or 504A, or is organized as a nonprofit corporation under the laws of another state."

VARN of Johnson
PARKER of Jasper
FEY of Scott

H–3726

Amend Senate File 448 as amended, passed and reprinted by the Senate, as follows:
1. Page 12, by striking lines 3 through 17 and inserting in lieu thereof the following:
" . School districts employing teachers for duties as an athletic or debate coach, shall".
2. Page 12, line 19, by inserting after the word "extracurricular" the word "coaching".
3. Page 14, line 18, by striking the words "the duties" and inserting in lieu thereof the words "the coaching duties".
4. By numbering subsections and correcting internal references as necessary.

VARN of Johnson

H–3737

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 14, line 28 through page 15, line 28.

2. By renumbering sections as necessary.

HAVERLAND of Polk

H–3738

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, by striking lines 23 through 30 and inserting in lieu thereof the words "school year is not affected by the board's action."

HAVERLAND of Polk

H–3739

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 12, line 2, through page 15, line 28.

2. By renumbering sections as necessary.

HAVERLAND of Polk

H–3740

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 6, by striking lines 16 through 20 and inserting in lieu thereof the word "file."

HAVERLAND of Polk

H–3741

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, by striking lines 1 through 15 and inserting in lieu thereof the following:

"6. A proposed termination appealed to grievance arbitration is precluded from further hearings under this chapter. If a hearing is requested under this chapter, the procedures under this chapter are exclusive and a grievance shall not be processed pursuant to a collective bargaining agreement."

COPENHAVER of Buchanan

H–3742

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, by striking lines 13 through 24.

2. By numbering and renumbering sections and correcting internal references as necessary.

COPENHAVER of Buchanan

H–3743

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 16, by striking the words "and assistant superintendents" and inserting in lieu thereof the words ", assistant superintendents, principals, assistant principals, educational directors, and other certificated school supervisors as defined in section 20.4".

2. Page 15, by striking lines 29 and 30.

COPENHAVER of Buchanan

H–3744

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:

1. Page 10, by striking lines 1 through 24 and inserting in lieu thereof the following:

"3. In proceedings for judicial appeal of the hearing officer's decision, the court shall not hear further evidence but shall hear the case upon the certified record. The court shall affirm or reverse the decision of the hearing officer, and the decision shall be reversed if the hearing officer's decision is unsupported by a preponderance of the competent evidence in the record made before the hearing officer when that record is viewed as a whole."

COPENHAVER of Buchanan

H–3746

Amend Senate File 475 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 12, by striking the word "twenty" and inserting in lieu thereof the word "fifty".

2. Page 1, line 13, by striking the word "one" and inserting in lieu thereof the word "ten".

DAGGETT of Taylor

H–3748

Amend Senate File 178 as amended, passed, and reprinted by the Senate as follows:

1. Page 2, line 25, by inserting after the word "optometrist" the words "who is under contract with or employed by a health maintenance organization and".

HERMANN of Scott

H–3750

Amend Senate File 477 as passed by the Senate, as follows:

1. Page 1, line 7, by inserting after the word "animal" the words "or causing a domestic animal to escape".

2. Page 1, line 8, by inserting after the word "person," the words "or causes an automobile, motorcycle or bicycle accident, or does damage to personal property,".

SKOW of Guthrie

H–3751

Amend Senate File 493, as amended, passed, and reprinted by the Senate as follows:

1. Page 2, by inserting after line 35, the following:

"Sec. . Section 321A.3, Code 1983, is amended to read as follows:

321A.3 ~~DIRECTOR TO FURNISH~~ ABSTRACT OF OPERATING RECORD–FEES TO BE CHARGED AND DISPOSITION OF FEES.

The director shall upon request furnish ~~any~~ a person a certified abstract of the operating record of ~~any~~ a person subject to chapter 321 or this chapter, ~~which~~. The abstract shall also fully designate the motor vehicles, if any, registered in the name of the person, ~~and~~, if. If there ~~shall be~~ is no record of ~~any~~ a conviction of the person having violated any law relating to the operation of a motor vehicle or of any injury or damage caused by the person, the director shall so certify. The abstract shall not include convictions of violations of chapter 321B, if the convictions are for violations which occurred more than six years prior to the date of certification. A fee of four dollars shall be paid for each abstract except by state, county, city or court officials. The abstracts ~~shall~~ are not ~~be~~ admissible as evidence in ~~any~~ an action for damages or criminal proceedings

arising out of a motor vehicle accident."
2. Amend the title, line 10, by inserting after the word "code," the following: "by prohibiting certain violations of chapter 321B from inclusion in certain abstracts,".
3. Renumber as necessary.

HANSON of Delaware

H–3752

Amend Senate File 448 as amended, passed, and reprinted by the Senate, as follows:
1. Page 2, line 27, by striking the word "TENURED".
2. Page 2, line 28, by striking the word "tenured" and inserting in lieu thereof the word "nonprobationary".
3. Page 3, line 7, by striking the words "tenure and".
4. Page 3, line 13, by striking the word "tenured".
5. Page 3, line 14, by striking the words "tenure and".
6. Page 3, line 26, by striking the word "tenured".
7. Page 3, line 33, by striking the words "tenure and".
8. Page 4, line 16, by striking the word "tenured".
9. Page 4, line 25, by striking the word "tenured".
10. Page 4, line 31, by striking the word "tenured".
11. Page 5, line 7, by striking the word "tenured".
12. Page 7, line 20, by striking the words "tenure and".
13. Page 13, line 22, by striking the word "tenured" and inserting in lieu thereof the word "nonprobationary".

HAVERLAND of Polk

H–3753

Amend Senate File 448, as amended, passed, and reprinted by the Senate, as follows:
1. Page 12, line 29, by striking the words "for one school year".
2. Page 12, line 30, by inserting after the word "term" the words "as provided in this subsection".
3. Page 13, line 14, by striking the words "school year" and inserting in lieu thereof the words "two school years".
4. Page 13, line 19, by striking the words "next school year" and inserting in lieu thereof the words "two-year period".

HAVERLAND of Polk

H–3762

Amend Senate File 92 as amended, passed, and reprinted by the Senate as follows:

1. Page 12, by inserting after line 16 the following:

"Sec. . NEW SECTION. 99D.22A START-UP ACCOUNT – CONTRIBUTIONS REFUNDS.

1. A fund shall be established in the office of the state treasurer to pay the initial start-up costs of the commission until sufficient receipts of admissions tax and license fees under section 99D.11 are available. The account shall be funded by voluntary contributions from any person wishing to make a donation. The operating expenses of the commission shall be paid from the account until there are sufficient funds pursuant to section 99D.11 to permit dissolution and repayment of the fund. The commission shall not be appointed nor shall this chapter be implemented, other than to establish the start-up account, until at least five hundred thousand dollars has been contributed to the account.

2. A nonprofit corporation qualified to apply for a license under section 99D.7 that makes a contribution to the account and is subsequently issued a license may claim the contribution, exclusive of interest on the contribution, as a credit against the admissions tax and license fees due under section 99D.11 until the amount of the contribution has been equaled. Whether a person has contributed to the account shall not be a factor in granting or denying a license.

3. A person who has made a contribution but has not been granted a license shall be repaid the contribution along with interest on the contribution. Interest shall be calculated at the same rate as the treasurer of state receives on idle funds that the treasurer has invested. Repayment shall be made in four equal installments and shall be apportioned on a pro-rated basis to all contributors eligible for repayment. The commission shall determine when there are sufficient funds available from funds received pursuant to section 99D.11 to declare a repayment installment. No funds shall be declared surplus funds and distributed pursuant to section 99D.15 until all contributors eligible for repayment have been repaid in full including interest."

2. Renumber as necessary.

SCHNEKLOTH of Scott

H–3763

Amend Senate File 159 as passed by the Senate, as follows:

1. Page 1, line 12, by inserting after the word "trustees" the words "of a township which has a common boundary with a city having a population of one hundred eighty thousand or more".

2. Page 1, by striking lines 32 through 34 and inserting in lieu thereof the words "value of the taxable property for those purposes and in any township which has a common boundary with".

3. Page 2, by striking lines 8 and 9 and inserting in lieu thereof the following: "~~section~~ is insufficient to provide ~~fire protection service and ambulance service~~ the services authorized or required under section 359.42,".

4. Page 2, by striking lines 14 and 15 and inserting in lieu thereof the following: "to provide the ~~ambulance service~~ services. ~~The township trustees may divide the township~~".

5. Page 2, by striking lines 22 through 24 and inserting in lieu thereof the following: "tax districts for the purpose of providing ~~fire protection service~~ the services authorized or required under section 359.42 and may levy a".

6. Page 2, by striking line 26 and inserting in lieu thereof the following: "a tax district for ~~fire protection~~ the authorized or required services shall not exceed the tax".

7. Amend the title, line 2, by inserting after the word "townships" the words "having a common boundary with a city having a population of one hundred eighty thousand or more".

SKOW of Guthrie

H–3766

Amend House File 582 as amended, passed and reprinted by the House as follows:

1. Page 1, line 13, by inserting after the word "ground" the words "of fact or law".

Senate Amendment

H–3783

Amend amendment H–3666 to Senate File 495, as amended, passed, and reprinted by the Senate, as

follows:

1. Page 1, by inserting after line 2 the following:

" . Page 96, line 35, by striking line 35 and inserting in lieu thereof the following: "court under sections 32.2, 99.30, 127.20, 302.44, 508.15, 511.7, 515.93, 534.12, 535.5, 595.11, 602.9106, subsection 3, 644.15, and 666.3." "

2. Page 1, line 8, by inserting after the word "fund." the words "If the total amount certified to the state comptroller under subsection 1 for a fiscal year is less than the total amount certified during the fiscal year beginning July 1, 1984, the state comptroller shall prorate the amounts paid to school districts."

3. Page 1, by inserting after line 11 the following:

" . Page 103, by inserting after line 21 the following section:

"Sec. . Section 32.2, Code 1983, is amended to read as follows:

32.2 ACTIONS FOR PENALTY. ~~Such~~ The action or suit may be brought by and in the name of the state, on the relation of ~~any~~ a citizen ~~thereof~~ of the state, and ~~such~~ the penalty, when collected, less the reasonable cost and expense of action or suit and recovery, to be certified by the clerk of the district court of the county in which the offense is committed, shall be paid ~~into the county treasury for the benefit of the school fund~~ to the treasurer of state for distribution under section 602.9107, and two or more penalties may be sued for and recovered in the same action or suit."

. Page 108, by inserting after line 13 the following:

"Sec. . Section 99.30, Code 1983, is amended to read as follows:

99.30 APPLICATION OF TAX. The ~~said~~ tax collected shall be applied ~~in payment of any~~ toward the deficiency in the payment of costs of the action and abatement ~~on behalf of the state to the extent of such deficiency~~ which exist after the application ~~thereto~~ of the proceeds of the sale of personal property ~~as hereinbefore provided, and the~~. The remainder of ~~said~~ the tax together with the unexpended portion of the proceeds of the sale of personal property shall be ~~distributed to the temporary school fund of the county~~ paid to the clerk of court who shall remit the amount to the treasurer of state for

Page 2

distribution under section 602.9107, except that ten percent of the amount of the whole tax collected and of the whole proceeds of the sale of ~~said~~ the personal property, as provided in this chapter, shall be paid by the treasurer to the attorney representing the state in the injunction action, at the time of final judgment."

. Page 109, by inserting after line 7 the following section:

"Sec. . Section 127.20, Code 1983, is amended to read as follows:

127.20 SALE OF CONVEYANCE. Prior to placing the conveyance for sale to the general public, the sheriff shall permit ~~any~~ an owner or lien holder having a property interest of fifty percent or more in the conveyance the opportunity to purchase the property interest forfeited. If ~~such~~ the owner or lien holder does not exercise ~~his or her~~ an option under this section or if ~~no such~~ an owner or lien holder ~~exists~~ does not exist, the conveyance shall be sold at public auction with the proceeds first being applied to the owners and lien holders who have not had their property interest forfeited and ~~then~~ applied to the expenses of keeping the conveyance ~~and court costs~~, and any remaining funds shall be conveyed by the clerk of court to the treasurer of state for distribution under section 602.9107."

. Page 115, by inserting after line 28 the following section:

"Sec. . Section 302.44, Code 1983, is amended to read as follows:

302.44 PENALTY AGAINST COUNTY AUDITOR. ~~Any~~ A county auditor failing or neglecting to perform ~~any of the~~ required duties ~~which are required of him by the provisions of~~ under this chapter, ~~shall be~~ is liable to a penalty of not less than one hundred nor more than five hundred dollars, to be recovered in an action brought in the district court by the board of supervisors, ~~the~~. The judgment ~~to~~ shall be entered against the party and ~~his~~ the party's bondsmen, and the proceeds ~~to go to the school fund~~ shall be paid to the treasurer of state for distribution under section 602.9107."

. Page 119, by inserting after line 30 the following sections:

"Sec. . Section 331.509, subsection 1, paragraph o, Code 1983, is amended to read as follows:

o. The reports of magistrates and other officers, including forfeited recognizances in their offices, fines, penalties, forfeitures imposed in their

Page 3

respective courts, and forfeited appearance bonds in criminal cases, all of which are payable to the ~~county treasury for the benefit of the school fund~~ treasurer of state for distribution under section 602.9107.

Sec. . Section 331.552, subsection 11, Code 1983, is amended to read as follows:

11. Credit funds from the sale of seized conveyances ~~to the school fund and issue duplicate receipts to the sheriff as provided in sections 127.21 and 127.22~~ to the treasurer of state for distribution under section 602.9107."

. Page 125, by inserting after line 15 the following sections:

"Sec. . Section 508.15, Code 1983, is amended to read as follows:

508.15 VIOLATION BY FOREIGN COMPANY. Companies organized and chartered by the laws of a foreign state or country, failing to file the evidence of investment and statement within the time fixed, shall forfeit and pay the sum of three hundred dollars, to be collected in an action in the name of the state ~~for the use of the school fund~~ and paid to the treasurer of state for distribution under section 602.9107, and their right to transact further new business in this state shall immediately cease until the requirements of this chapter have been fully complied with.

Sec. . Section 511.7, Code 1983, is amended to read as follows:

511.7 RECOVERY OF PENALTIES. Actions brought to recover any of the penalties provided for in this chapter shall be instituted in the name of the state by the county attorney of the county, under the direction and authority of the commissioner of insurance, and may be brought in the district court of any county in which the company or association proceeded against is engaged in the transaction of business, or in which the offending person resides, if it is against ~~him~~ the person. The penalties, when recovered, shall be paid ~~into the state treasury for the use of the school fund~~ to the treasurer of state for distribution under section 602.9107.

Sec. . Section 515.93, Code 1983, is amended to read as follows:

515.93 VIOLATIONS. ~~Any~~ A violation of ~~the provisions of~~ sections 515.91 and 515.92 shall for the first offense subject the company, association, or individual guilty thereof to a penalty of five hundred dollars, to be recovered in the name of the

Page 4

state, with costs, in an action instituted by the county attorney, either in the county in which the company, association, or individual is located or transacts business, or in the county where the offense is committed, and ~~such~~ the penalty, when recovered, shall be paid ~~into the school fund of the county in which action is brought~~ to the treasurer of state for distribution under section 602.9107. Every subsequent violation of ~~said~~ the sections ~~shall subject~~ subjects the company, association, or individual to a penalty of one thousand dollars, to be sued for, recovered, and disposed of in like manner.

Sec. , . Section 534.12, subsection 4, Code 1983, is amended to read as follows:

4. REDEMPTION. ~~At any time~~ When funds are on hand for the purpose, the association ~~shall have the right to~~ may redeem by lot or otherwise, as the board of directors ~~may determine~~ determines, all or any part of any of its savings accounts on a dividend date by giving thirty days' notice by registered mail addressed to the account holders at their last addresses recorded on the books of the association. An association shall not redeem ~~any of~~ its share accounts when the association is in an impaired condition or when it has applications for withdrawal which have been on file more than thirty days and have not been reached for payment. The redemption price of a savings account shall be the full value of the account redeemed, as determined by the board of directors, but ~~in no event shall~~ the redemption value shall not be less than the withdrawal value. If the notice of redemption has been given, and if on or before the redemption date the funds necessary for the redemption have been set aside ~~so as to be and continue to be available~~ for redemptions, dividends upon the accounts called for redemption shall cease to accrue from and after the dividend date specified as the redemption date, and ~~all~~ rights with respect to those accounts ~~shall~~ terminate as of the redemption date, subject only to the right of the account holder of record to receive the redemption value without interest. ~~All savings~~ Savings accounts which have been validly called for redemption must be tendered for payment within ten years from the date of redemption designated in the redemption notice, or they shall be canceled and ~~forfeited for the use of the school fund of the county in which the association has its principal place of business~~ conveyed to the clerk of court and paid to treasurer of state for distribution under section 602.9107 and all claims

Page 5

of the account holders against the association ~~shall be~~ are barred forever. Redemption shall not be made of any savings accounts which are held by a person who is a director and which are necessary to qualify the person to act as director.

Sec. . Section 535.5, Code 1983, is amended to read as follows:

535.5 PENALTY FOR USURY. If it ~~shall be~~ is ascertained in ~~any~~ an action brought on ~~any~~ a contract that a rate of interest has been contracted for, directly or indirectly, in money or in property, greater than is authorized by this chapter, the ~~same~~ rate shall work a forfeiture of eight cents on the hundred by the year upon the amount of the principal remaining unpaid upon ~~such~~ the contract at the time judgment is rendered ~~thereon~~, and the court shall enter final judgment in favor of the plaintiff and against the defendant for the principal sum ~~so~~ remaining unpaid without costs, and also against the defendant and in favor of the state, ~~for the use of the school fund of the county in which the action is brought~~ to be paid to the treasurer of state for distribution under section 602.9107, for the amount of the forfeiture; ~~and in no case where.~~ If unlawful interest is contracted for ~~shall~~ the plaintiff shall not have judgment for more than the principal sum, whether the unlawful interest ~~be~~ is incorporated with the principal or not.

Sec. . Section 595.11, Code 1983, is amended to read as follows:

595.11 NONSTATUTORY SOLEMNIZATION—FORFEITURE. Marriages solemnized, with the consent of parties, in any ~~other~~ manner other than ~~as herein~~ that prescribed in this chapter, are valid; but the parties ~~thereto~~, and all persons aiding or abetting them, shall ~~forfeit to the school fund the sum~~ pay a penalty of fifty dollars each; but this shall not apply to the person conducting the marriage ceremony, if within fifteen days thereafter ~~he~~ the person makes the required return to the clerk of the district court. The penalties shall be conveyed by the clerk of district court to the treasurer of state for distribution under section 602.9107."

. Page 129, by inserting after line 3 the following sections:

"Sec. . Section 644.15, Code 1983, is amended to read as follows:

644.15 PROCEEDS—FORFEITURE. The net proceeds of ~~all~~ sales made by the sheriff, and ~~all~~ money or bank notes paid over to the county treasurer, as

Page 6

directed in this chapter, shall remain in the hands of the county treasurer in trust for the owner, if ~~any such shall apply~~ the owner applies within one year from the time the ~~same shall~~ proceeds, moneys, or bank notes would have been paid over; ~~but,~~. However, if no owner ~~shall appear~~ appears within ~~such~~ that time, the ~~money~~ proceeds, moneys, or bank notes shall be forfeited, and the claim of the owner ~~thereto~~ is forever barred, in which event the money shall ~~remain in the county treasury for the use of the common schools in said county~~ be paid to the clerk of district court who shall pay the money to the treasurer of state for distribution under section 602.9107.

Sec. . Section 666.3, Code 1983, is amended to read as follows:

666.3 FINES AND FORFEITURES. ~~All fines~~ Fines and forfeitures, after deducting ~~therefrom~~ court costs, court expenses collectible through the clerk of the court, and fees of collection, if any, and not otherwise disposed of, shall ~~go into the treasury of the county where the same are collected for the benefit of the school fund~~ be paid to the treasurer of state for distribution under section 602.9107."

. Page 138, line 8, by inserting after the figure "66.25," the figures "127.21, 127.22,".

. By numbering and renumbering sections and correcting internal references as necessary."

GROTH of Buena Vista

H—3787

Amend H—3755 to Senate File 302 as passed by the Senate, as follows:

1. By striking page 1, line 3 through page 4, line 18 and inserting in lieu thereof the following:

"1. Page 4, by inserting after line 32 the following:

"Sec. 11. Sections 12 through 16 of this Act are enacted as chapter 900 of the Code.

Sec. 12. NEW SECTION. COMMISSION ESTABLISHED.

1. A commission of eleven members to be known as the sentencing evaluation commission is established. Members of the commission shall include the following:

a. The chief justice of the supreme court or the chief justice's designee.

b. One district court judge appointed by the majority vote of the state judicial council.

c. One public defender appointed by the governor.
d. One county attorney appointed by the governor.
e. Two representatives of community corrections appointed by the governor.
f. One practicing criminal trial defense attorney appointed by the governor.
g. The attorney general of the state or the attorney general's designee.
h. Three public members appointed by the governor who have knowledge of penology or correctional institutions.

2. In addition to the eleven members of the commission, there shall be four legislative members, two from each house, and two from each political party, appointed by the majority vote of the legislative council, who shall serve as nonvoting members of the commission. In addition, the director of the division of adult corrections of the department of social services, or the director's designee, shall also serve as a nonvoting member.

Sec. 13. NEW SECTION. LENGTH OF APPOINTMENT. Each voting member of the commission shall be appointed for four years. Each nonvoting member of the commission shall be appointed for two years. Each member shall continue to serve during that time as long as the member occupies the position which made the member eligible for the appointment. Each member shall continue in office until a successor is appointed. Members are eligible for reappointment, and appointment may be made to fill an unexpired term.

Sec. 14. NEW SECTION. OFFICERS—MEETINGS. The commission shall elect a chairperson and other officers it deems necessary from among its membership. It shall meet on the call of the chairperson or a majority

Page 2

of the members.

Sec. 15. NEW SECTION. DUTIES.

1. The commission shall study the impact of sentencing laws and practices including but not limited to noninstitutional sanctions such as fines, restitution, work release, community-based correctional programs, probation, deferred judgment, deferred sentence, and suspended sentences.

2. The commission shall make recommendations to the general assembly at the beginning of each session and to the governor regarding changes in the laws of sentencing, the criminal code, criminal procedures, the rules of the department of social services concerning correctional institutions, and other aspects

of sentencing.

3. The commission shall receive recommendations from the board of parole as to changes in sentencing laws and practices. These recommendations shall also be submitted to the general assembly, accompanied by a study of the fiscal and population impacts.

4. The commission shall conduct a study of the fiscal and population impacts of all sentencing recommendations prior to submission to the general assembly. The commission shall project whether the implementation of its recommendations would result in exceeding the prison population capacity of two thousand seven hundred eighty, and the fiscal costs thereof. If the commission finds that this result would probably occur, then the commission shall prepare an additional list of recommendations which shall be consistent with such capacity.

Sec. 16. NEW SECTION. EXPENSES. Members of the commission shall receive actual and reasonable expenses, including travel at the state rate set forth in section 18.117. In addition to the reimbursement for expenses, members of the commission who are not officers or employees of state or local government shall receive a per diem of forty dollars for each day in which they are engaged in the performance of the duties of the commission."

2. Page 4, line 33, by striking the figure "11" and inserting in lieu thereof the figure "17".

3. Page 5, line 9, by striking the figure "12" and inserting in lieu thereof the figure "18".

4. Page 5, by striking lines 13 through 15 and inserting in lieu thereof the following:

"Sec. 19. Sections 2 through 6, and sections 8, 9, 10, and 17 of this Act apply only to inmates sentenced for offenses committed after July 1, 1983. Sections 12 through 16 are repealed June 30, 1987."

Page 3

5. Title page, line 1, by striking the words "reduction of".

6. Title page, by striking lines 2 through 4 and inserting in lieu thereof a period."

ROSENBERG of Story

H–3789

Amend House File 625 as follows:

1. Page 1, by striking lines 1 through 35.

2. Page 2, by striking lines 5 through 7 and

inserting in lieu thereof the words "fund shall consist of revenues from the beer and liquor control fund designated for substance abuse under section 123.53, subsection 8 and other moneys appropriated to or made available".

3. By striking page 2, line 25 through page 3, line 6 and inserting in lieu thereof the following:

"NEW SUBSECTION. 8. The treasurer of state shall periodically transfer from the beer and liquor control fund to the substance abuse rehabilitation and prevention fund created in section 125.53 five percent of the gross sales of the state liquor stores to be used for the purposes specified in section 125.53."

4. Page 6, by striking lines 12 through 14 and inserting in lieu thereof the words "services for that purpose."

5. Amend the title, by striking lines 2 through 5 and inserting in lieu thereof the words "services and making an appropriation."

SCHROEDER of Pottawattamie

H–3790

Amend House File 30 as follows:

1. Page 2, lines 13 and 14, by inserting after the word "person" the words "with acceptance of service to be signed by the occupant,".

2. Page 3, by striking lines 4 through 6 and inserting in lieu thereof the following:

"2. A notice mailed by certified mail pursuant to subsection 1 is made and completed when the notice is enclosed in a sealed envelope, with the proper postage on the envelope, addressed to the occupant or a successor at the last known mailing address, and deposited in a mail receptacle provided by the United States postal service."

3. Page 4, line 9, by inserting after the word "section." the following: "The purchaser shall apply for a new title to a vehicle by following the procedures outlined in section 321.47. For all other property which has a written title, the purchaser shall follow the applicable procedures for the property for the transfer of title by operations of law."

4. Page 4, lines 12 and 13, by inserting after the word "occupant." the following: "If the balance of the proceeds exceeds one hundred dollars, the owner shall deposit the balance of the proceeds in an escrow account segregated from the owner's moneys."

PAULIN of Plymouth

H–3797

Amend H–3519 to House File 100 as follows:
1. Page 3, by striking lines 26 through 30 and inserting in lieu thereof the word "There".

TABOR of Jackson

H–3798

Amend House File 613 as follows:
1. Page 4, line 19, by striking the figure "694,634" and inserting in lieu thereof the figure "669,634".

LONERGAN of Boone
DE GROOT of Lyon

H–3799

Amend House File 608 as follows:
1. Page 62, by inserting after line 13 the following:
"Sec. 137. Section 331.441, subsection 2, paragraph b, Code 1983, is amended by adding the following new subparagraph:
NEW SUBPARAGRAPH. (8) Acquisition, construction, reconstruction, improvement, repair, and equipping of water works, water mains and extensions, and real and personal property useful for providing potable water to residents of a county. General obligation bonds issued pursuant to the powers granted by this subparagraph shall be supported by a tax levy against a special taxing district including only those properties within the areas proposed to be served by such facilities which shall be exclusive of the incorporated areas at the time of establishment of the taxing district."
2. By renumbering and correcting internal references to conform with this amendment.

SHERZAN of Polk

H–3801

Amend House File 613 as follows:
1. Page 13, line 27, by striking the figure

"212,000" and inserting in lieu thereof the figure "237,000".

ZIMMERMAN of Dallas
SKOW of Guthrie
GROTH of Buena Vista
PAULIN of Plymouth
JAY of Appanoose
HAVERLAND of Polk
OSTERBERG of Linn
MILLER of Woodbury
HOFFMANN-BRIGHT of Muscatine
STURGEON of Woodbury
HERMANN of Scott
GRUHN of Dickinson
GRONSTAL of Pottawattamie
CHAPMAN of Linn
HOLVECK of Polk
O'KANE of Woodbury
FEY of Scott
ROSENBERG of Story
MULLINS of Kossuth
McINTEE of Black Hawk

H–3802

Amend House File 616 as follows:

1. Page 7, by striking lines 32 through 35 and inserting in lieu thereof the following: "valuing all classes of property in the state. The appraisal manual shall be continuously revised and the manual and revisions shall be issued to the county and".

DAGGETT of Taylor
SKOW of Guthrie
VAN MAANEN of Mahaska
HARBOR of Mills
FOGARTY of Palo Alto
PELLETT of Cass

H–3806

Amend House File 628 as follows:

1. Page 63, by inserting after line 18 the following:

"Sec. . Section 331.441, subsection 2, paragraph b, Code 1983, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (8) Acquisition, construction, reconstruction, improvement, repair, and equipping of water works, water mains and extensions, and real and personal property useful for providing potable water to residents of a county. General obligation bonds issued pursuant to the powers granted by this subparagraph shall be supported by a tax levy against a special taxing district including only those properties within the areas proposed to be served by such facilities which shall be exclusive of the incorporated areas at the time of establishment of the taxing district."

2. By numbering sections to conform with this amendment.

SHERZAN of Polk
BUHR of Polk

H–3846

Amend House File 624 as follows:

1. Page 1, by inserting after line 29 the following: "A user permit may be obtained by a person sixty-five years of age or older without payment of a fee by providing proof of age to a county recorder, the commission or a depositary."

TORRENCE of Muscatine

H–3848

Amend Senate File 420 as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 554.3507, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The holder of a dishonored instrument may assess a surcharge against the maker of the instrument. The surcharge may not exceed:

a. Ten dollars for each dishonored instrument if the maker pays the amount due on the instrument within seven days of dishonor.

b. Fifteen dollars for each dishonored instrument in an amount of less than one hundred dollars if the maker does not pay the amount on the instrument due within seven days of dishonor.

c. Twenty dollars for each dishonored instrument in an amount of one hundred dollars or more if the maker does not pay the amount due on the instrument within seven days of dishonor.

Sec. 2. Section 625.22, unnumbered paragraph 2, Code 1983, is amended to read as follows:

In an action against the maker to recover payment on a check, or draft, ~~or written instrument written in violation of chapter 714~~ as defined in section 554.3104, the plaintiff, if successful, ~~may~~ shall recover, in addition to all other costs or surcharges provided by law, all court costs incurred, including a reasonable attorney's fee, ~~or an individual's cost of processing a small claims recovery such as lost time and transportation costs from the maker of the check, draft, or written instrument~~. In such an

action by a person not represented by an attorney, the plaintiff, if successful, shall recover from the maker all court costs incurred and reasonable costs for processing the action including, but not limited to, time lost from a business or profession and transportation costs, in addition to all other costs or surcharges provided by law."

SCHROEDER of Pottawattamie

H–3849

Amend Senate File 527, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, by inserting after line 16 the following:

"Sec. . Section 17A.8, subsections 1 and 9, Code 1983, are amended to read as follows:

1. There is created the "Administrative Rules Review Committee." The committee shall be bipartisan and not more than two members from each house shall be of the same political party. The committee shall be composed of the following members:

a. ~~Three~~ Four senators appointed by the president of the senate.

b. ~~Three~~ Four representatives appointed by the speaker of the house.

9. Upon a vote of two-thirds of its members, the administrative rules review committee may delay the effective date of a rule until the ~~expiration~~ sine die adjournment of ~~forty-five calendar days, excluding legal holidays, during which the general assembly is in~~ the current regular session or the next regular session if the general assembly is not in regular session. If a rule is delayed during the last twenty-one calendar days preceding the adoption of a resolution for sine die adjournment of a regular session, the ~~forty-five day~~ period of delay shall ~~begin to~~ run ~~upon~~ until the ~~convening~~ sine die adjournment of the next regular session of the general assembly. The committee shall refer a rule whose effective date has been delayed to the speaker of the house of representatives and the president of the senate who shall refer the rule to the appropriate standing committees of the general assembly. If at the expiration of ~~that~~ the period of delay the general assembly has not disapproved of the rule by a ~~joint~~ concurrent resolution approved by ~~the governor~~ a constitutional majority of each house, the rule shall become effective. If a rule is disapproved, it shall not become effective and the agency shall withdraw

the rule. This section ~~shall~~ does not apply to rules made effective under section 17A.5, subsection 2, paragraph "b".

Sec. . Chapter 17A, Code 1983, is amended by adding the following new section:

NEW SECTION. BIENNIAL REVIEW. At least every two years, each agency shall review its rules to determine whether any rule is no longer necessary and should be rescinded unless the administrative rules coordinator or the administrative rules review committee grants an extension of time because of the

Page 2

number or complexity of the rules to be reviewed by the agency. The administrative rules coordinator or the administrative rules review committee may require an agency to prepare a written report on specific rules, which report shall summarize its findings, its supporting reasons, and any proposed course of action. The administrative rules coordinator or the administrative rules review committee may also submit the report with recommendations for further administrative or legislative action to the governor or the presiding officer of each house of the general assembly."

2. Amend the title, line 6, by inserting after the word "rules" the words ", by increasing the membership of the administrative rules review committee, and by providing for the review and effective date of rules".

3. By renumbering sections to conform to this amendment.

SCHROEDER of Pottawattamie

H–3869

Amend Senate Joint Resolution 9 as follows:

1. Page 1, by striking lines 8 and 9 and inserting in lieu thereof the words "its passage unless a different effective date is stated in an".

2. Page 1, by striking lines 12 through 19 and inserting in lieu thereof the following: "after adjournment of the special session unless a different effective date is stated in an act of the general assembly. The general assembly may establish by law a procedure for giving notice of the contents of acts of immediate importance which become law."

DODERER of Johnson

H–3876

Amend Senate File 511 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 16, by inserting after the word "service." the words "This section does not apply to an electric transmission line located in a highway or street right-of-way or in a drainage or levee district right-of-way."

COOPER of Lucas

H–3882

Amend House File 634 as follows:

1. Page 12, line 29, by inserting after the word "Act" the words "or a wager or bet lawfully placed and recorded in a ledger pursuant to section 725.10".

2. Page 12, by inserting after line 29, the following:

"Sec. . Section 725.7, Code 1983, is amended to read as follows:

725.7 GAMING AND BETTING–PENALTY. ~~Any~~ A person who participates in any game for any sum of money or other property of any value, or who makes ~~any~~ an illegal bet or wager for money or other property of value, or who illegally engages in bookmaking commits a serious misdemeanor.

Sec. . Section 725.10, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

725.10 WAGERING.

1. The department of revenue shall provide a ledger to a person eighteen years of age or older who applies to the department of revenue for a ledger. A person who receives a ledger may accept bets or wagers from a person eighteen years of age or older. A bet or wager made in this state is lawful if the bet or wager is placed upon the result of any lawful trial or contest of skill, speed, or power of endurance of a human or beast and if the bet or wager is placed with a person who lawfully possesses a ledger provided by the department of revenue. Each bet or wager and its disposition shall be recorded in the ledger by the person to whom the ledger is provided.

2. A person to whom a ledger is provided shall remit to the treasurer of state on the first of each month ten percent of the gross amount of wagers or bets placed with the person in the previous month. Ledgers shall be open for inspection at reasonable hours by the director of revenue or the director's

designee.
3. A person who receives a bet or wager and who fails to record the bet or wager in a ledger furnished by the department of revenue shall be fined one thousand dollars for the first violation. The fine shall increase one thousand dollars for each subsequent failure to record in the ledger a bet or wager made."
4. Title page, line 10, by inserting after the word "fund" the words ", and making certain bets and wagers legal, requiring that the bets and wagers be recorded in a ledger, that a percentage of the amount of the bets and wagers placed be remitted to the state, and providing a penalty".

Page 2

5. By numbering and renumbering as necessary.

SCHROEDER of Pottawattamie

H–3883

Amend amendment H–3882 to House File 634 as follows:
1. Page 1, line 20, by striking the words "eighteen years of age or older" and inserting in lieu thereof the words "who has reached the age of majority".
2. Page 1, line 23, by striking the words "eighteen years of age or older" and inserting in lieu thereof the words "who has reached the age of majority".

SCHROEDER of Pottawattamie

H–3885

Amend House File 637 as follows:
1. Page 4, by inserting after line 14 the following:
"Sec. . Section 96.5, subsection 1, Code 1983, is amended by adding the following new paragraph:
NEW PARAGRAPH. The individual left new employment within the first two weeks of work at the employment because of the individual's inability to perform the work."
2. By renumbering as necessary.

RUNNING of Linn

H–3886

Amend House File 637 as follows:
1. Page 9, by inserting after line 26 the

following:

"Sec. . Section 96.11, subsection 4, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The director shall provide for the employment of such personnel as are necessary to carry out the functions of the department. Personnel shall be employed under the provisions of chapter 19A. The director, a deputy director, a confidential secretary, the members of the appeal board, an administrative officer under the appeal board, and a secretary for each member if deemed necessary, shall be exempt from the merit system under the provisions of section 19A.3. If necessary to carry out its duties under this chapter, the appeal board shall employ an administrative officer whose qualifications and job responsibilities are determined by the appeal board."

2. By renumbering as necessary.

RUNNING of Linn

H—3887

Amend House File 637 as follows:

1. Page 4, by inserting after line 14 the following:

"Sec. . Section 96.5, subsection 7, Code 1983, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. Notwithstanding paragraphs a, b and c of this subsection, if an individual is separated from employment and is scheduled to receive vacation payments during the period of unemployment attributable to the employer and if the individual is not scheduled to return to work within a period of four consecutive weeks then payments made by an employer to an individual or an obligation to make a payment by an employer to an individual for vacation pay, vacation pay allowance or pay in lieu of vacation for any period in excess of one week shall not be deemed wages as defined in section 96.19, subsection 12, and such payments in excess of that amount received for one week or the value of such obligations for one week shall not be deducted from the unemployment benefits an employee is otherwise entitled to receive under this chapter. However, if the employer designates by notice in writing to the department more than one week as the vacation period, the vacation pay, vacation pay allowance, or pay in lieu of vacation are wages and shall be deducted from benefits."

2. By renumbering as necessary.

RUNNING of Linn

H–3892

Amend House File 637 as follows:

1. Page 4, by inserting after line 14 the following:

"Sec. . Section 96.7, subsection 3, paragraph a, subparagraph (2), Code 1983, is amended to read as follows:

(2) The amount of regular benefits plus fifty percent of the amount of extended benefits, as determined under section 96.29, paid to an eligible individual shall be charged against the account of the employers in the base period in the inverse chronological order in which the employment of the individual occurred. Provided, that in any case in which the individual to whom the benefits are paid is in the employ of a base period employer at the time the individual is receiving the benefits, and the individual is receiving the same employment from the employer that the individual received during the individual's base period, then benefits paid to the individual shall not be charged against the account of the employer. This provision applies to both contributing and reimbursable employers notwithstanding section 96.8, subsection 5, and subparagraph (3) of this paragraph. An employer's account shall not be charged with benefit payments made to any individual who has left the work of the employer voluntarily without good cause attributable to the employer, but shall be charged to the account of the next succeeding employer with whom the individual requalified for benefits as determined under section 96.5, subsection 1, paragraph "g". ~~However, the succeeding employer's account shall first be charged with benefit payments to the individual due to wage credits earned by the individual while employed by the succeeding employer. After exhausting those wage credits, the succeeding employer's account shall not be charged with ten weeks of benefit payments to the individual due to wage credits earned by the individual from a previous employer, but rather the unemployment compensation trust fund shall be charged. After exhausting the ten weeks of noncharging, the succeeding employer's account shall again be charged with benefit payments.~~ Provided further, that an employer's account shall not be charged with benefit payments made to an individual who has been discharged for misconduct in connection with the individual's employment, and shall not be charged with benefit payments made to an individual after the individual has failed without good cause, either to apply for available, suitable work or to accept suitable work or to return to

Page 2

customary self-employment, but shall be charged to the account of the next succeeding employer with whom the individual requalifies for benefits as determined respectively under section 96.5, subsections 2 and 3.

~~However, with respect to a succeeding employer who employs an individual who has been discharged for misconduct by a previous employer, the succeeding employer's account shall first be charged with benefit payments to the individual due to wage credits earned by the individual while employed by the succeeding employer. After exhausting those wage credits, the succeeding employer's account shall not be charged with ten weeks of benefit payments to the individual due to wage credits earned by the individual from a previous employer, but rather the unemployment compensation trust fund shall be charged. After exhausting the ten weeks of noncharging, the succeeding employer's account shall again be charged with benefit payments.~~"

2. By renumbering as necessary.

RUNNING of Linn

H–3895

Amend House File 637 as follows:

1. Page 4, by inserting after line 14 the following:

"Sec. . Section 96.6, subsection 3, Code 1983, is amended to read as follows:

3. APPEALS. Unless such appeal is withdrawn, a hearing officer, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the representative. The hearing shall be conducted pursuant to the provisions of chapter 17A relating to hearings for contested cases. The hearing shall be conducted by telephone only when an in-person hearing is impractical because of the distance between the parties to the hearing or when all parties request a telephone hearing in writing. The parties shall be duly notified of the hearing officer's decision, together with the hearing officer's reasons therefor, which shall be deemed to be the final decision of the department, unless within fifteen days after the date of notification or mailing of such decision, further appeal is initiated pursuant to subsection

5 of this section."
2. By renumbering as necessary.

RUNNING of Linn
CHAPMAN of Linn

H–3897

Amend House File 637 as follows:
1. Page 4, by inserting after line 14 the following:
"Sec. . Section 96.6, subsection 2, Code 1983, is amended to read as follows:
2. INITIAL DETERMINATION. A representative designated by the director shall promptly notify all interested parties to the claim of the filing thereof, and ~~said~~ the parties shall have ten days from the date of mailing the notice of the filing of said claim by ordinary mail to the last known address to protest payment of benefits to said claimant. The representative shall promptly examine the claim and any protest thereto and, on the basis of the facts found by the representative, shall determine whether or not such claim is valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, and whether any disqualification shall be imposed. The claimant has the burden of proving that the claimant meets the basic eligibility conditions of section 96.4. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to section 96.5. Unless the claimant or other interested party, after notification or within ten calendar days after such notification was mailed to the claimant's last known address, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith. If a hearing officer affirms a decision of the representative, or the appeal board affirms a decision of the hearing officer, allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally reversed, no employer's account shall be charged with benefits so paid."
2. By renumbering as necessary.

RUNNING of Linn
CHAPMAN of Linn

H–3901

Amend House File 634 as follows:

1. Page 5, line 26, by striking the word "six" and inserting in lieu thereof the word "one".

SCHNEKLOTH of Scott

H–3902

Amend House File 634 as follows:

1. Page 2, by striking lines 30 and 31, and inserting in lieu thereof the words "shall supervise and administer the lottery in a manner designed to assure that the percentage of revenue going to the state is as large as possible."

SCHNEKLOTH of Scott

H–3906

Amend House File 634 as follows:

1. Page 4, by striking lines 25 and 26 and inserting in lieu thereof the following: "A minor as defined in section 599.1 shall not be a licensed agent."

HANSON of Delaware

H–3909

Amend House File 638 as follows:

1. Page 2, by striking the figure "164.23" and inserting in lieu thereof the word and figures "331.421, subsection 5,".

KNAPP of Dubuque

H–3912

Amend House File 634 as follows:

1. Page 8, line 4, by inserting after the word "investigation." the words "An inquiry, investigation or hearing under this section is not a contested case under the Iowa administrative procedure Act."

2. Page 10, by striking lines 5 and 6 and inserting in lieu thereof the following: "commissioner, one member shall be the treasurer of state or a designee of the treasurer of state, and one member shall be".

3. Page 10, by inserting after line 9, the following:

"3. Section 17A.18 does not apply to a revocation

or suspension under this section and a hearing held under this section is not a contested case under the Iowa administrative procedure Act."

CHIODO of Polk

H–3913

Amend House File 634 as follows:

1. Page 4, line 18, by inserting after the word "sold." the following: "A person who receives public assistance under a state program and purchases a lottery ticket or share, forfeits eligibility for the receipt of public assistance in this state for twelve months from the date a ticket is purchased. For the purposes of this section public assistance means any form of subsidy, cash, or in-kind payment granted to an individual under a state sponsored and financed assistance program."

HUGHES of Union

H–3915

Amend amendment H–3899 to House File 634 as follows:

1. Page 1, line 18, by inserting after the word "senate." the words "The initial appointments to the board shall be made within thirty days of the effective date of this Act and the persons appointed shall serve as board members until the senate has an opportunity to act upon their confirmation."

CHIODO of Polk

H–3916

Amend House File 634 as follows:

1. Page 5, line 26, by striking the word "six" and inserting in lieu thereof the word "three".

ROSENBERG of Story

H–3917

Amend House File 634 as follows:

1. Page 7, line 17, by inserting after the word "partnership" the words "or limited partnership".

ROSENBERG of Story

H–3922

Amend House File 634 as follows:

1. Page 5, line 26 by striking the word "six" and inserting the word "three".

GRANDIA of Marion
MAULSBY of Calhoun
ANDERSON of Audubon
HERMANN of Scott
PAULIN of Plymouth

H–3923

Amend House File 634 as follows:

1. Page 4, line 31, by inserting after the word "permitted." the following: "The commissioner shall promulgate rules which will require that the odds of winning each lottery game be prominently displayed in all advertising associated with each lottery game."

HANDORF of Marshall
ANDERSON of Audubon
HOFFMANN-BRIGHT of Muscatine
HERMANN of Scott
PAULIN of Plymouth

H–3925

Amend House File 634 as follows:

1. Page 9, by inserting after line 16 the following:

"3. a. A license shall not be issued unless the following conditions are met:

a. If the premises from which lottery tickets or shares are to be sold are located in an unincorporated area of a county, the county board of supervisors in the county where the premises are located must approve or reject by a majority vote the granting of a license to sell lottery tickets or shares in the unincorporated areas of the county. The commissioner shall notify the county board of supervisors in writing at least sixty days prior to issuing a license of the intent to issue a license. The county board of supervisors shall approve or reject the granting of the license within thirty days of the receipt of the commissioner's written notice. If the board of supervisors rejects the granting of a license, a license shall not be issued. If the board fails to act on the license within the thirty day period the commissioner may issue the license.

b. If the premises from which lottery tickets or shares are to be sold are located within the incorporated boundaries of a city, the city council in that city must approve or reject by a majority vote the granting of a license to sell lottery tickets or shares in the city. The commission shall notify the city council in writing at least sixty days prior to issuing a license of the intent to issue a license. The city council shall approve or reject the granting of the license within thirty days of receipt of the commissioner's written notice. If the city council rejects the granting of a license, a license shall not be issued. If the city council fails to act on the license within the thirty days period, the commissioner may issue the license."

2. By numbering and renumbering as necessary.

CARL of Poweshiek

H–3930

Amend House File 634 as follows:

1. Page 4, line 31, by inserting after the word "permitted." the following: "The lottery shall not use television, radio, movies, direct mail, or newspapers for advertising or promotional purposes."

O'KANE of Woodbury

H–3937

Amend House File 634 as follows:

1. Page 6, by striking lines 3 and 4 and inserting in lieu thereof the words "to the unemployment trust fund until this Act is repealed and lottery revenues remaining after repeal are transferred from the general fund to the unemployment trust fund."

2. Page 13, by inserting after line 1 the following:

"Sec. . This Act is repealed effective December 31, 1986. Assets of the lottery shall be transferred to the general fund upon repeal. The governor shall provide for the efficient dissolution of the Iowa lottery agency. Existing sections of the Code amended by this Act shall revert to the form they would have without the amendments in this Act."

3. Title page, line 10, by inserting after the word "fund" the words and figures "and providing for the repeal of this Act on December 31, 1986".

4. By numbering, renumbering and correcting internal references as necessary.

O'KANE of Woodbury

H–3955

Amend House File 633 as follows:

1. Page 2, by inserting after line 13 the following new section:

"Sec. 6. NEW SECTION. 28.45 STOCK SALES LIMIT. The aggregate value of all stock sold in the Iowa venture capital fund for which a credit is allowed under section 422.11 or 422.33 shall not exceed five million dollars."

2. Page 2, line 15, by inserting after the word "division" the words and figures ", less credits permitted under section 422.12,".

3. Page 2, line 16, by striking the word "ten" and inserting in lieu thereof the word "five".

4. Page 2, line 32, by striking the word "ten" and inserting in lieu thereof the word "five".

5. Page 3, line 5, by striking the figure "5" and inserting in lieu thereof the figure "6".

6. Renumber sections and correct internal references as necessary in accordance with this amendment.

PARKER of Jasper
SCHROEDER of Pottawattamie
CHIODO of Polk

H–3957

Amend House File 634 as follows:

1. Page 5, line 35, by inserting after the word "shall" the following: "be transferred to the department of human services to supplement the medical assistance appropriation in amounts necessary to allow the maximum medical assistance reimbursement rate for intermediate care facilities to be established semi-annually at the seventy-fourth percentile of facilities' per diems calculated from the most recent unaudited financial reports on file as of June 30 and December 31 of each year.

4. The remaining lottery revenue shall".

2. By renumbering as necessary.

MAULSBY of Calhoun

H–3959

Amend Senate File 404, as passed by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 428A.4, unnumbered paragraph 2, Code 1983, is amended to read as follows:

The county recorder shall refuse to record any deed, instrument, or writing by which any real property in this state shall be granted, assigned, transferred, or otherwise conveyed, except those transfers exempt from tax under section 428A.2, subsections 2 to 13, until the declaration of value has been submitted to the county recorder. The declaration of value shall include the social security number or federal identification number of the buyer and seller and all other information required under section 428A.1. However, if having made a good faith effort, the person or person's agent completing the declaration of value is unable to obtain the social security or federal identification number of the other party to the transaction due to factors beyond the party's control, a signed affidavit stating that the effort was made and the reasons why the number could not be obtained shall be submitted with the incomplete declaration of value. The declaration of value with attached affidavit shall be considered sufficient compliance with this section and section 428A.1 and the affidavit shall be considered a part of the declaration of value. A declaration of value shall not be required with a deed given in fulfillment of a recorded real estate contract provided the deed has a notation that it is given in fulfillment of a contract."

SWARTZ of Marshall

H–3962

Amend Senate File 370 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. LEGISLATIVE INTENT. It is the intent of sections 2 and 3 of this legislation, in response to Butler v. State of Iowa, filed February 23, 1983, to define those cases in which a state or municipality, by its highway or road construction or reconstruction policy, may be liable for negligent acts or omissions, and it is not the intent of this legislation to affect those rights, claims, or defenses which exist in the law and which are in areas of litigation other than highway or road construction or reconstruction. The rule of statutory construction that the express mention of one thing implies the exclusion of the other does not apply to this Act.

Sec. 2. Section 25A.14, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Any claim based upon or arising out of negligent design or specifications, negligent adoption of design or specifications, or negligent adoption of a policy of street or road maintenance for a road, street, highway, bridge, culvert, overpass, road sign, drainage system or any other aspect of a street or road that was initially constructed or reconstructed in accordance with a professionally recognized engineering or safety standard, criteria, or design theory in existence at the time of the initial construction or reconstruction. It shall be a complete defense for the state to any such claim or cause of action if it is established that any one of the then existing generally recognized standards or criteria was met. No claim under this chapter shall be allowed for failure to upgrade any aspect of existing highways, streets or roads to new design standards. Sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, and maintaining an existing street, road, or highway shall not constitute reconstruction.

This subsection shall not apply to claims based upon failure to follow the then recognized standard.

Sec. 3. Section 613A.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Any claim based upon or arising out of negligent design or specifications, negligent adoption of design or specifications, or negligent adoption of a policy of street or road maintenance for a road, street, highway, bridge, culvert, overpass, road sign, drainage system or any other aspect of

Page 2

a street or road that was initially constructed or reconstructed in accordance with a professionally recognized engineering or safety standard, criteria, or design theory in existence at the time of the initial construction or reconstruction. It shall be a complete defense for a municipality to any such claim or cause of action if it is established that any one of the then existing generally recognized standards or criteria was met. No claim under this chapter shall be allowed for failure to upgrade any aspect of existing highways, streets or roads to new design standards. Sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, and maintaining an existing street, road, or highway shall not constitute

reconstruction.

This subsection shall not apply to claims based upon failure to follow the recognized standard.

Sec. 4. Section 613A.4, subsection 3, Code 1983, is amended to read as follows:

3. Any claim based upon an act or omission of an officer or employee of the municipality, exercising due care, in the execution of a statute, ordinance, or regulation whether the statute, ordinance or regulation is valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of the municipality or an officer or employee of the municipality, whether or not the discretion is abused."

2. Page 1, by inserting after line 35, the following:

"Sec. 7. NEW SECTION. COMPARATIVE NEGLIGENCE—EFFECTS.

1. If a claim alleges negligence as the basis for the recovery of damages for injury or death of a person or harm to property, negligence that is chargeable to the claimant diminishes proportionately the amount to be awarded to the claimant as compensatory damages for loss to which the claimant's negligence contributed.

2. In the trial of a claim involving the negligence of two or more persons, including claimants, defendants, third-party defendants, persons who have been released under section 9 of this Act, and persons who are not parties to the action, the court, unless otherwise agreed by all the parties to the action, shall instruct the jury to answer special interrogatories, or if there is no jury the court shall make findings of both of the following:

a. The amount of damages the claimant would be

Page 3

entitled to recover if negligence chargeable to the claimant is disregarded.

b. The percentage of the total negligence allocated to each claimant, defendant, third-party defendant, person who has been released from liability under section 9 of this Act, and person who is determined to have been negligent but who is not a party to the action. For purposes of this paragraph, the court shall disregard the rule of joint and several liability of defendants, but the court may determine that two or more persons are to be treated as one negligent person.

3. In determining the percentages of negligence,

the trier of fact shall consider both the nature of the conduct of each negligent party and the extent of the causal relation between negligent conduct and the loss for which damages are claimed.

4. If the claim is tried to a jury, the court shall not give instructions or permit evidence or argument with respect to the effects of the answers to be returned to the interrogatories submitted under subsection 2.

5. The court shall determine the amount of damages payable to each claimant by each other party, if any, in accordance with the findings of the court or jury and the provisions of sections 7 through 9 of this Act.

6. The liability of a party, if any, is limited to that percentage of the damages as found under subsection 2, paragraph a, that is equal to the percentage of negligence chargeable to the party as found under subsection 2, paragraph b. The rule of joint and several liability of defendants does not apply, if a plaintiff is found to bear any comparative negligence.

Sec. 8. NEW SECTION. OFFSETTING CLAIMS. A claim and counterclaim shall not be set off against each other, except by agreement of both parties. However, if upon motion of either party the court finds that the obligation of either party is likely to be uncollectible the court may order that both parties make payment to the court for distribution. The court shall distribute the funds received, and shall declare obligations discharged as if the payment to the court by either party had been a payment to the other party, and as if the distribution of the funds back to the party making payment had been a payment to that party by the other party.

Sec. 9. NEW SECTION. EFFECT OF RELEASE. A release, covenant not to sue, or similar agreement

Page 4

entered into by a claimant and a person who is or may be liable to the claimant for damages discharges the person from liability to the claimant. The agreement does not discharge other persons that are or may be liable unless the agreement so provides, but the agreement does reduce the amount of damages that are recoverable from other persons who are or may be liable to the extent of amounts paid to the claimant in contemplation of the agreement.

Sec. 10. The supreme court shall submit to the general assembly during the 1984 session in the manner

provided in section 684.19 changes in the rules of procedure for courts which are necessitated by the enactment of this Act.

Sec. 11. Section 619.17, Code 1983, is repealed. This section shall not be construed to reinstate a rule requiring a claimant to plead and prove freedom from contributory negligence.

Sec. 12. This Act takes effect July 1, 1983, and applies to all cases tried or retried on or after that date.

Sec. 13. The legislative council is directed to establish a joint subcommittee of the senate committee on judiciary, the house committee on judiciary and law enforcement, and the senate and house committees on commerce, to be composed of seven members of the house and seven members of the senate, to study the matter of comparative negligence, comparative fault, contributory negligence, and the effect of the final judicial disposition of Butler v. State of Iowa as they apply to the broad spectrum of tort law in Iowa, during the interim between the seventieth general assembly's first and second session. This joint subcommittee shall be authorized to meet for not less than five days."

3. Title page, by striking lines 1 and 2 and inserting in lieu thereof the following: "An Act relating to tort actions by providing immunity to state and local government employees and officials for certain acts and omissions, relating to punitive damages, and establishing comparative negligence as the basis for liability in relation to claims arising from injury to or death of a person or harm to property."

4. By renumbering as necessary.

WELDEN of Hardin
GRANDIA of Marion
VAN CAMP of Scott
HALVORSON of Clayton
DAGGETT of Taylor
MILLER of Woodbury
FEY of Scott
OSTERBERG of Linn
LAGESCHULTE of Bremer
RENKEN of Grundy
COREY of Louisa
PELLETT of Cass
COOPER of Lucas
HARBOR of Mills
STUELAND of Clinton
SCHROEDER of Pottawattamie
TOFTE of Winneshiek
TORRENCE of Muscatine
BENNETT of Ida
HOFFMANN-BRIGHT of Muscatine
CHIODO of Polk
SWARTZ of Marshall
BRANSTAD of Winnebago
MAULSBY of Calhoun
SCHNEKLOTH of Scott
RENSINK of Sioux
HANDORF of Marshall
ANDERSON of Audubon
DE GROOT of Lyon
GRUHN of Dickinson

BLANSHAN of Greene
BLACK of Jasper
COPENHAVER of Buchanan
CONNOLLY of Dubuque
MUHLBAUER of Crawford
VAN GERPEN of Black Hawk
CLARK of Cerro Gordo
SWEARINGEN of Keokuk
DIEMER of Black Hawk
FOGARTY of Palo Alto
KNAPP of Dubuque
MULLINS of Kossuth
MENKE of O'Brien
KOENIGS of Mitchell
PAULIN of Plymouth
VAN MAANEN of Mahaska
COCHRAN of Webster
HUGHES of Union
SPEAR of Lee
SKOW of Guthrie
RENAUD of Polk
JOCHUM of Dubuque
PEICK of Linn
ROYER of Page
BAXTER of Des Moines
HERMANN of Scott
CARPENTER of Polk
OLLIE of Clinton
LLOYD-JONES of Johnson
SHERZAN of Polk
TABOR of Jackson
SULLIVAN of Van Buren
WOODS of Polk
OXLEY of Linn
PONCY of Wapello
GRONINGA of Cerro Gordo

H–3963

Amend amendment H–3930 to page 4 of House File 634 as follows:

1. Page 1, line 4, by inserting after the word "mail" the words "outdoor billboards,".

HAMMOND of Story

H–3965

Amend House File 639 as follows:

1. Page 1, by inserting after line 13 the following:

"Sec. . This Act, being deemed of immediate importance, takes effect from and after its publication in the Telegraph Herald, a newspaper published in Dubuque, Iowa, and in the Independence Bulletin-Journal, a newspaper published in Independence, Iowa."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

COPENHAVER of Buchanan

H–3977

Amend Senate File 370 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. LEGISLATIVE INTENT. It is the intent

of sections 2 and 3 of this legislation, in response to Butler v. State of Iowa, filed February 23, 1983, to define those cases in which a state or municipality, by its highway or road construction or reconstruction policy, may be liable for negligent acts or omissions, and it is not the intent of this legislation to affect those rights, claims, or defenses which exist in the law and which are in areas of litigation other than highway or road construction or reconstruction. The rule of statutory construction that the express mention of one thing implies the exclusion of the other does not apply to this Act.

Sec. 2. Section 25A.14, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Any claim based upon or arising out of negligent design or specifications, negligent adoption of design or specifications, or negligent adoption of a policy of street or road maintenance for a road, street, highway, bridge, culvert, overpass, road sign, drainage system or any other aspect of a street or road that was initially constructed or reconstructed in accordance with a professionally recognized engineering or safety standard, criteria, or design theory in existence at the time of the initial construction or reconstruction. It shall be a complete defense for the state to any such claim or cause of action if it is established that any one of the then existing generally recognized standards or criteria was met. No claim under this chapter shall be allowed for failure to upgrade any aspect of existing highways, streets or roads to new design standards. Sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, and maintaining an existing street, road, or highway shall not constitute reconstruction.

This subsection shall not apply to claims based upon failure to follow the then recognized standard.

Sec. 3. Section 613A.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Any claim based upon or arising out of negligent design or specifications, negligent adoption of design or specifications, or negligent adoption of a policy of street or road maintenance for a road, street, highway, bridge, culvert, overpass, road sign, drainage system or any other aspect of

Page 2

a street or road that was initially constructed or reconstructed in accordance with a professionally recognized engineering or safety standard, criteria,

or design theory in existence at the time of the initial construction or reconstruction. It shall be a complete defense for a municipality to any such claim or cause of action if it is established that any one of the then existing generally recognized standards or criteria was met. No claim under this chapter shall be allowed for failure to upgrade any aspect of existing highways, streets or roads to new design standards. Sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, and maintaining an existing street, road, or highway shall not constitute reconstruction.

This subsection shall not apply to claims based upon failure to follow the recognized standard.

Sec. 4. Section 613A.4, subsection 3, Code 1983, is amended to read as follows:

3. Any claim based upon an act or omission of an officer or employee of the municipality, exercising due care, in the execution of a statute, ordinance, or regulation whether the statute, ordinance or regulation is valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of the municipality or an officer or employee of the municipality, whether or not the discretion is abused."

2. Page 1, by inserting after line 35, the following:

"Sec. 7. This Act takes effect July 1, 1983, and applies to all cases tried or retried on or after that date.

Sec. 8. The legislative council is directed to establish a joint subcommittee of the senate committee on judiciary, the house committee on judiciary and law enforcement, and the senate and house committees on commerce, to be composed of seven members of the house and seven members of the senate, to study the matter of comparative negligence, comparative fault, contributory negligence, and the effect of the final judicial disposition of Butler v. State of Iowa as they apply to the broad spectrum of tort law in Iowa, during the interim between the seventieth general assembly's first and second session. This joint subcommittee shall be authorized to meet for not less than five days."

3. Title page, by striking lines 1 and 2 and inserting in lieu thereof the following: "An Act

Page 3

relating to tort actions by providing immunity to state and local government employees and officials for certain acts and omissions, relating to punitive damages, and establishing a joint subcommittee on negligence for the interim."

4. By renumbering as necessary.

FOGARTY of Palo Alto
SCHROEDER of Pottawattamie

H—3978

Amend the Parker et al amendment, H—3955, to House File 633, as follows:

1. Page 1, line 7, by striking the figure "422.11" and inserting in lieu thereof the figure "422.10".

CHIODO of Polk

H—3979

Amend House amendment H—3962 to Senate File 370 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 40, by inserting after the word "contributed" the words ", provided that recovery by the claimant for the loss is barred if the contributing negligence that is chargeable to the claimant is greater than the negligence that is chargeable to all other persons in respect to the loss".

2. Page 3, by striking lines 34 and 35 and inserting in lieu thereof the word "apply."

SKOW of Guthrie
HALVORSON of Clayton

H—3980

Amend the House amendment H—3977 , to Senate File 370 as amended, passed and reprinted by the Senate as follows:

1. By striking page 1, line 5, through page 3, line 5, and inserting in lieu thereof the following:

"Section 1. Section 25A.14, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or

negligent construction or reconstruction of a highway, secondary road, or street as defined in section 321.1, subsection 48, or a public improvement as defined in section 384.37, subsection 1, or other public facility that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing highway, secondary road, street, public improvement, or other public facility to new, changed, or altered design standards. In respect to highways and roads, sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, or maintaining an existing highway or road does not constitute reconstruction.

Sec. 2. Section 613A.4, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a highway, secondary road, or street as defined in section 321.1, subsection 48, or a public improvement as defined in section 384.37, subsection 1, or other public facility that was constructed or reconstructed in accordance with a generally recognized engineering or safety standard, criteria, or design theory in existence at the time of the construction or reconstruction. A claim under this chapter shall not be allowed for failure to upgrade, improve, or alter any aspect of an existing highway, secondary road, street, public improvement, or other public facility to new, changed, or altered design standards. In respect to highways and roads, sealcoating, asphalting, patching, resurfacing, ditching, draining, repairing, graveling, rocking, blading, or maintaining an existing highway or road does not constitute

Page 2

reconstruction.

Sec. 3. Section 613A.4, subsection 3, Code 1983, is amended to read as follows:

3. Any claim based upon an act or omission of an officer or employee of the municipality, exercising due care, in the execution of a statute, ordinance, or regulation whether the statute, ordinance or regulation is valid, or based upon the exercise or

performance or the failure to exercise or perform a discretionary function or duty on the part of the municipality or an officer or employee of the municipality, whether or not the discretion is abused."

2. Page 1, by inserting after line 35 the following:

"Sec. 6. NEW SECTION. COMPARATIVE NEGLIGENCE—EFFECTS.

1. If a claim alleges negligence as the basis for the recovery of damages for injury or death of a person or harm to property, negligence that is chargeable to the claimant diminishes proportionately the amount to be awarded to the claimant as compensatory damages for loss to which the claimant's negligence contributed, provided that recovery by the claimant for the loss is barred if the contributing negligence that is chargeable to the claimant is greater than the negligence that is chargeable to all other persons in respect to the loss.

2. In the trial of a claim involving the negligence of two or more persons, including claimants, defendants, third-party defendants, persons who have been released under section 8 of this Act, and persons who are not parties to the action, the court, unless otherwise agreed by all the parties to the action, shall instruct the jury to answer special interrogatories, or if there is no jury the court shall make findings of both of the following:

a. The amount of damages the claimant would be entitled to recover if negligence chargeable to the claimant is disregarded.

b. The percentage of the total negligence allocated to each claimant, defendant, third-party defendant, person who has been released from liability under section 8 of this Act, and person who is determined to have been negligent but who is not a party to the action. For purposes of this paragraph, the court shall disregard the rule of joint and several liability of defendants, but the court may determine that two or more persons are to be treated as one negligent person.

3. In determining the percentages of negligence,

Page 3

the trier of fact shall consider both the nature of the conduct of each negligent party and the extent of the causal relation between negligent conduct and the loss for which damages are claimed.

4. If the claim is tried to a jury, the court shall not give instructions or permit evidence or

argument with respect to the effects of the answers to be returned to the interrogatories submitted under subsection 2.

5. The court shall determine the amount of damages payable to each claimant by each other party, if any, in accordance with the findings of the court or jury and the provisions of sections 6 through 8 of this Act.

6. The liability of a party, if any, is limited to that percentage of the damages as found under subsection 2, paragraph a, that is equal to the percentage of negligence chargeable to the party as found under subsection 2, paragraph b. The rule of joint and several liability does not apply if plaintiff is found to bear any comparative negligence.

Sec. 7. NEW SECTION. OFFSETTING CLAIMS. A claim and counterclaim shall not be set off against each other, except by agreement of both parties. However, if upon motion of either party the court finds that the obligation of either party is likely to be uncollectible the court may order that both parties make payment to the court for distribution. The court shall distribute the funds received, and shall declare obligations discharged as if the payment to the court by either party had been a payment to the other party and as if the distribution of the funds back to the party making payment had been a payment to that party by the other party.

Sec. 8. NEW SECTION. EFFECT OF RELEASE. A release, covenant not to sue, or similar agreement entered into by a claimant and a person who is or may be liable to the claimant for damages discharges the person from liability to the claimant. The agreement does not discharge other persons that are or may be liable unless the agreement so provides, but the agreement does reduce the amount of damages that are recoverable from other persons who are or may be liable to the extent of amounts paid to the claimant in contemplation of the agreement.

Sec. 9. The supreme court shall submit to the general assembly during the 1984 session in the manner provided in section 684.19 changes in the rules of procedure for courts which are necessitated by the enactment of this Act.

Page 4

Sec. 10. Section 619.17, Code 1983, is repealed. This section shall not be construed to reinstate a rule requiring a claimant to plead and prove freedom from contributory negligence.

Sec. 11. This Act takes effect July 1, 1983, and applies to all cases tried or retried on or after that date.

Sec. 12. The legislative council is directed to establish a joint subcommittee of the senate committee on judiciary, the house committee on judiciary and law enforcement, and the senate and house committees on commerce, to be composed of seven members of the house and seven members of the senate, to study the matter of comparative negligence, comparative fault and contributory negligence as they apply to the broad spectrum of tort law in Iowa, during the interim between the Seventieth General Assembly's first and second session. This joint subcommittee shall be authorized to meet for not less than five days."

3. Title page, by striking lines 1 and 2 and inserting in lieu thereof the following: "An Act relating to tort actions by providing immunity to state and local government employees and officials for certain acts and omissions, relating to punitive damages, and establishing comparative negligence as the basis for liability in relation to claims arising from injury to or death of a person or harm to property."

4. By renumbering as necessary.

WELDEN of Hardin
SWEARINGEN of Keokuk
RENKEN of Grundy
DAGGETT of Taylor
DIEMER of Black Hawk
HARBOR of Mills
STUELAND of Clinton
VAN GERPEN of Black Hawk
ANDERSON of Audubon
VAN CAMP of Scott
TORRENCE of Muscatine
HOFFMANN-BRIGHT of Muscatine
RENSINK of Sioux
PELLETT of Cass
HANDORF of Marshall
BAXTER of Des Moines
CARPENTER of Polk
COCHRAN of Webster
CONNOLLY of Dubuque
COPENHAVER of Buchanan
WOODS of Polk
TABOR of Jackson
FOGARTY of Palo Alto
SCHROEDER of Pottawattamie
DE GROOT of Lyon
HERMANN of Scott
PAULIN of Plymouth
VAN MAANEN of Mahaska
HALVORSON of Clayton
MENKE of O'Brien
GRANDIA of Marion
ROYER of Page
BENNETT of Ida
TOFTE of Winneshiek
BRANSTAD of Winnebago
COREY of Louisa
SCHNEKLOTH of Scott
MAULSBY of Calhoun
LAGESCHULTE of Bremer
CHIODO of Polk
CLARK of Cerro Gordo
FEY of Scott
SPEAR of Lee
MILLER of Woodbury
GRONINGA of Cerro Gordo
RENAUD of Polk
SKOW of Guthrie
OXLEY of Linn

SWARTZ of Marshall
COOPER of Lucas
GRUHN of Dickinson
BLANSHAN of Greene
PONCY of Wapello
MUHLBAUER of Crawford
KOENIGS of Mitchell
HUGHES of Union
JOCHUM of Dubuque
KNAPP of Dubuque
SULLIVAN of Van Buren
PEICK of Linn

H–3981

Amend amendment H–3955 to House File 633 as follows:
1. Page 1, line 7, by striking the word and numerals "422.11 or".

ZIMMERMAN of Dallas

H–4006

Amend House File 641 as follows:
1. Page 13, by inserting after line 27 the following:
"4. The social services block grant state advisory committee, formerly known as the Title XX state advisory committee, and the social services block grant district advisory committees, formerly known as the Title XX district advisory committees, shall continue to advise the department of policy matters with respect to the social services block grant funds allocated by the federal government to this state through June 30, 1984."

VAN MAANEN of Mahaska

H–4008

Amend House File 639 as follows:
1. Page 1, line 10, by inserting after the numerals "423." the following: "Taxes voluntarily paid shall not include taxes paid under protest. The department shall adopt procedures for payment under protest."

HERMANN of Scott

H–4012

Amend the Committee on Appropriations amendment, H–3996, to Senate File 531, as amended, passed, and reprinted by the Senate, as follows:
1. Page 5, line 22, by inserting after the period the following: "Any funds transferred to the general fund of the state under this section during the fiscal

year beginning July 1, 1983 and ending June 30, 1984 shall revert from the general fund of the state to the road use tax fund not more than ninety days following June 30, 1984."

WELDEN of Hardin

H–4017

Amend House File 641 as follows:

1. Page 20, by inserting after line 13 the following:

"Section 1. Section 85.38, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 3. SUBROGATION RIGHTS FOR MEDICAL ASSISTANCE PAYMENTS. If the department of social services, under chapter 249A, pays for care and services which are also required to be furnished by an employer to an employee under section 85.27, the department is subrogated, to the extent of the payments for care and services also required to be furnished under section 85.27, to the claim of the employee against the employer for the care and services.

Sec. 2. NEW SECTION. 217.34 OFFICE OF INVESTIGATIONS. The office of investigations shall provide assistance to set off against a person's income tax refund or rebate any debt which has accrued through written contract, subrogation, departmental recoupment procedures, or court judgment and which is in the form of a liquidated sum due and owing the department of social services. The department of social services shall adopt rules under chapter 17A necessary to assist the department of revenue in the implementation of the setoff under section 421.17, subsection 21.

Sec. 3. Section 234.39, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A dispositional order of the juvenile court requiring the provision of foster care shall establish, after notice and a reasonable opportunity to be heard is provided to a parent or guardian, the amount of the parent's or guardian's liability for the cost of foster care provided by the department. In establishing the amount of the liability, the court shall take into consideration the department's schedule of charges, and if the amount established deviates from the schedule of charges, the court shall explain the deviation in its order. The order shall direct the payment of the liability to the clerk of the district court for the use of the department's foster care

recovery unit. The order shall be filed with the clerk and shall have the same force and effect as a judgment when entered in the judgment docket and lien index. The clerk shall disburse the payments pursuant to the order and enter the disbursements in a record book. If payments are not made as ordered, the clerk shall certify a default to the court and the court may, on its own motion, proceed under section

Page 2

598.22 or 598.23. A dispositional order establishing the amount of a parent's or guardian's liability for the cost of foster care shall not vacate a prior court order which establishes the parent's or guardian's child support obligation.

Sec. 4. NEW SECTION. 235B.1 ADULT ABUSE SERVICES.

1. As used in this section, "dependent adult abuse" means:

a. Any of the following as a result of the willful or negligent acts or omissions of a caretaker:

(1) Physical injury to or unreasonable confinement or cruel punishment of a dependent adult.

(2) The commission of a sexual offense under chapter 709 or section 726.2 with or against a dependent adult.

(3) Exploitation of a dependent adult which means the act or process of taking unfair advantage of a dependent adult or the adult's physical or financial resources for one's own personal or pecuniary profit by the use of undue influence, harassment, duress, deception, false representation, or false pretenses.

(4) The deprivation of the minimum food, shelter, clothing, supervision, physical and mental health care, and other care necessary to maintain a dependent adult's life or health.

b. The deprivation of the minimum food, shelter, clothing, supervision, physical and mental health care, and other care necessary to maintain a dependent adult's life or health as a result of the acts or omissions of the dependent adult.

Dependent adult abuse does not include:

(1) Depriving a dependent adult of medical treatment if the dependent adult holds a belief or is an adherent of a religion whose tenets and practices call for reliance on spiritual means in place of reliance on medical treatment.

(2) The withholding and withdrawing of health care from a dependent adult who is terminally ill in the opinion of a licensed physician, when the withholding and withdrawing of health care is done

at the request of the dependent adult or at the request of the dependent adult's next-of-kin or guardian pursuant to the applicable procedures under chapter 125, 222, 229, or 633.

2. The department of social services shall operate a program relating to the providing of services in cases of dependent adult abuse. The program shall emphasize the reporting and evaluation of dependent adult abuse of an adult who is unable to protect the adult's own interests or unable to perform or obtain

Page 3

essential services.

3. A person who believes that a dependent adult has suffered abuse may report the suspected abuse to the department of social services. The department shall receive dependent adult abuse reports and shall collect, maintain, and disseminate the reports pursuant to sections 235A.12 through 235A.24 by expanding the central registry for child abuse to include reports of dependent adult abuse. The department shall evaluate the reports expeditiously. However, the state department of health is solely responsible for the evaluation and disposition of adult abuse cases within health care facilities and shall inform the department of social services of such evaluations and dispositions.

The department of social services shall inform the appropriate county attorneys of any reports. County attorneys, law enforcement agencies, multidisciplinary teams as defined in section 235A.13, subsection 7, and social services agencies in the state shall cooperate and assist in the evaluation upon the request of the department. County attorneys and appropriate law enforcement agencies shall also take any other lawful action necessary or advisable for the protection of the dependent adult.

Upon a showing of probable cause that a dependent adult has been abused, a district court may authorize a person, authorized by the department to make an evaluation, to enter the residence of, and to examine the dependent adult.

4. If, upon completion of the evaluation or upon referral from the state department of health, the department of social services determines that the best interests of the dependent adult require district court action, the department shall initiate action for the appointment of a guardian or conservator or for admission or commitment to an appropriate institution or facility pursuant to the applicable

procedures under chapter 125, 222, 229, or 633. The appropriate county attorney shall assist the department in the preparation of the necessary papers to initiate the action and shall appear and represent the department at all district court proceedings.

The department shall assist the district court during all stages of court proceedings involving a suspected case of adult abuse.

In every case involving adult abuse which is substantiated by the department and which results in a judicial proceeding on behalf of the dependent adult, legal counsel shall be appointed by the court

Page 4

to represent the dependent adult in the proceedings. The court may also appoint a guardian ad litem to represent the dependent adult if necessary to protect the dependent adult's best interests. The same attorney may be appointed to serve both as legal counsel and as guardian ad litem. Before legal counsel or a guardian ad litem is appointed pursuant to this section, the court shall require the dependent adult and any person legally responsible for the support of the dependent adult to complete under oath a detailed financial statement. If, on the basis of that financial statement, the court deems that the dependent adult or the legally responsible person is able to bear all or a portion of the cost of the legal counsel or guardian ad litem, the court shall so order. In cases where the dependent adult or the legally responsible person is unable to bear the cost of the legal counsel or guardian ad litem, the expense shall be paid out of the court expense fund.

5. The department of social services shall complete an assessment of needed services and shall make appropriate referrals to services. The department may provide necessary protective services and may establish a sliding fee schedule for those persons able to pay a portion of the protective services.

6. A person participating in good faith in reporting or cooperating or assisting the department of social services in evaluating a case of dependent adult abuse has immunity from liability, civil or criminal, which might otherwise be incurred or imposed based upon the act of making the report or giving the assistance. The person has the same immunity with respect to participation in good faith in a judicial proceeding resulting from the report or assistance or relating to the subject matter of the report or assistance.

Sec. 5. Section 237A.5, Code 1983, is amended to read as follows:

237A.5 PERSONNEL. All personnel in licensed ~~centers~~ or registered facilities shall have good health as evidenced by a report following a pre-employment physical examination taken within six months prior to beginning employment, including communicable disease tests by a licensed physician as defined in section 135C.1, at the time of initial employment and every three years thereafter. No staff member of a licensed center or registered group home or a family day care home required to be registered pursuant to section 237A.3, subsection 1, with direct responsibility for child care and no person living

Page 5

in such registered group or family day care home shall have a conviction by any law of any state of a crime involving ~~lascivious acts with~~ mistreatment of a child, ~~child neglect~~ or violence against a person, or shall have a record of substantiated child sexual abuse or a record of any other type of child abuse substantiated within three years prior to the check of the child abuse registry made by the department pursuant to this chapter.

Sec. 6. Section 237A.8, Code 1983, is amended to read as follows:

237A.8 SUSPENSION AND REVOCATION. The director, after notice and opportunity for an evidentiary hearing, may suspend or revoke a license or certificate of registration issued under ~~the provisions of~~ this chapter if the person to whom a license or certificate is issued violates ~~any~~ a provision of this chapter or if ~~a~~ the person makes false reports regarding the operation of the child day care facility to the director or a designee. The director shall notify the parent, guardian, or legal custodian of each child for whom the person provides child day care, if the license or certificate of registration is suspended or revoked or if there has been a substantiated child abuse case against an employee, owner, or operator of the child day care facility.

Sec. 7. Section 237A.20, Code 1983, is amended to read as follows:

237A.20 INJUNCTION. ~~Any~~ A person who establishes, conducts, manages, or operates a center without a license or a group day care home without a certificate of registration may be restrained by temporary or permanent injunction. The action may be instituted by the state, a political subdivision of the state,

or an interested person.

Sec. 8. Section 239.1, subsection 3, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

3. "Dependent child" means a needy child who is under the age of eighteen, or a needy person eighteen years of age who meets the additional eligibility criteria established by federal law or regulation, and who has been deprived of parental support or care by reason of death, continued absence from home, physical or mental incapacity, or partial or total unemployment of the parent, and who is living with a relative specified in 42 U.S.C. sec. 606 and in federal regulations adopted pursuant to that section. However, a child is not a dependent child solely by reason of a parent's absence from the home due to

Page 6

the parent's performance of active duty in the uniformed services of the United States.

Sec. 9. Section 239.9, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

239.9 FUNERAL EXPENSES. The department may pay, from funds appropriated to it for the purpose, a maximum of four hundred dollars toward funeral expenses on the death of a child who is receiving or has been authorized to receive assistance under this chapter, provided:

1. The total expense of the child's funeral does not exceed one thousand dollars.

2. The decedent does not leave an estate which may be probated with sufficient proceeds to allow a funeral claim of at least one thousand dollars.

3. Payments which are due the decedent's estate or beneficiary by reason of the liability of a life insurance, death or funeral benefit company, association, or society, or in the form of United States social security, railroad retirement, or veterans' benefits upon the death of the decedent, are deducted from the department's liability under this section.

Sec. 10. Section 239.12, Code 1983, is amended to read as follows:

239.12 AID TO DEPENDENT CHILDREN ACCOUNT. There is ~~hereby~~ established in the state treasury an account to be known as the "Aid to Dependent Children Account" to which shall be credited all funds appropriated by the state for the payment of assistance and benefits under this chapter, and all other moneys received

at any time for such purposes. Moneys assigned to the department under section 239.12 and received by the child support recovery unit pursuant to section 252B.5 and 42 U.S.C. sec. 664 shall be credited to the account in the fiscal year in which the moneys are received. All assistance and benefits under this chapter shall be paid from ~~said~~ the account.

Sec. 11. Section 249.9, Code 1983, is amended to read as follows:

249.9 FUNERAL EXPENSES. The department may pay, from funds appropriated to it for the purpose, a maximum of four hundred dollars toward funeral expenses on the death of ~~any~~ a person receiving state supplementary assistance or who received assistance under a previous categorical assistance program prior to January 1, 1974, provided:

1. The total expense of the person's funeral does not exceed ~~six hundred fifty~~ one thousand dollars.

Page 7

2. ~~That the~~ The decedent does not leave an estate which may be probated, with sufficient proceeds to allow a funeral claim of at least ~~six hundred fifty~~ one thousand dollars.

3. ~~That any payment~~ Payments which ~~is~~ are due the decedent's estate or beneficiary by reason of the liability of ~~any~~ a life insurance ~~or~~, death or funeral benefit company, association or society, or in the form of United States social security, railroad retirement, or veterans' benefits, upon the death of the decedent ~~shall be~~, are deducted from the department's liability under this section.

Sec. 12. Section 249A.4, subsection 7, Code 1983, is amended to read as follows:

7. Shall provide for the professional freedom of those licensed practitioners who determine the need for or provide medical care and services, and shall provide freedom of choice to recipients to select the provider of ~~such~~ care and services, ~~and for medical direction and supervision as needed~~ except when the recipient is eligible for participation in a health maintenance organization or prepaid health plan which limits provider selection and which is approved by the department, or when the department restricts the recipient's selection of providers to control the individual recipient's overuse of care and services.

Sec. 13. Section 249A.4, subsection 8, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Shall advise and consult at least semiannually

with a council composed of the president, or ~~his or her~~ the president's representative who is a member of the professional organization represented by the president, of the Iowa ~~Medical Society~~ medical society, the Iowa ~~Society~~ society of ~~Osteopathic Physicians~~ osteopathic physicians and ~~Surgeons~~ surgeons, the Iowa ~~State Dental Society~~ state dental society, the Iowa ~~State Nurses Association~~ state nurses association, the Iowa ~~Pharmaceutical Association~~ pharmacists association, the Iowa ~~Podiatry Society~~ podiatry society, the Iowa ~~Optometric Association~~ optometric association, the community mental health centers association of Iowa, the Iowa psychological association, the Iowa ~~Hospital Association~~ hospital association, the Iowa ~~Osteopathic Hospital Association~~ osteopathic hospital association, opticians' association of Iowa ~~Ophthalmic Dispensers~~, Inc., ~~(opticians) and~~ the Iowa ~~Nursing Home Association~~ health care association, the Iowa assembly of home health agencies, and the Iowa association of homes

Page 8

for the aging, together with one person designated by the Iowa state board of chiropractic examiners; one state representative from each of the two major political parties appointed by the speaker of the house, one state senator from each of the two major political parties appointed by the lieutenant governor, each for a term of two years; the president or the president's representative of the association for retarded citizens; four public representatives, ~~two of whom shall be~~ appointed ~~each year~~ by the governor for staggered terms of two years each, ~~and~~ none of whom shall be members of, or practitioners of or have a pecuniary interest in any of the professions or businesses represented by, any of the several professional groups and associations specifically represented on the council under this subsection, and at least one of whom shall be a recipient of medical assistance; the commissioner of public health, or a representative designated by ~~him~~ the commissioner, and the dean of the college of medicine, ~~University~~ university of Iowa, or a representative designated by ~~him~~ the dean.

Sec. 14. Section 249A.5, Code 1983, is amended to read as follows:

249A.5 RECOVERY OF PAYMENT. Medical assistance paid to, or on behalf of, ~~any~~ a recipient ~~cannot be recovered from such beneficiary~~ or paid to a provider of services is not recoverable unless ~~such benefit~~

~~had been~~ the assistance was incorrectly paid. ~~If, while receiving assistance, the recipient becomes possessed of any resource or income in excess of the amount stated in the application provided for in this chapter, it shall be the duty of the recipient immediately to notify the county board of the receipt or possession of such resource or income. When it is found that any person has failed to so notify the board that he is or was possessed of any resource or income in excess of the amount allowed, or when it is found that, within five years prior to the date of his application, a recipient made an assignment or transfer of property for the purpose of rendering himself eligible for assistance under this chapter, any amount of assistance paid in excess of the amount to which the recipient was entitled shall constitute benefits incorrectly paid. Any benefits~~ Assistance incorrectly paid ~~shall be~~ is recoverable from the provider, or from the recipient, while living, as a debt due the state and, upon ~~his~~ the recipient's death, as a claim classified with taxes having preference under the laws of this state.

Page 9

Sec. 15. Section 249A.6, subsection 4, Code 1983, is amended to read as follows:

4. ~~In the event~~ If a recipient of assistance through the medical assistance program incurs the obligation to pay attorney fees and court costs for the purpose of enforcing a monetary claim to which the department is subrogated under this section, ~~the amount which the department is entitled to recover under subsection 1, or any lesser amount which the department may agree to accept in compromise of its claim, shall be reduced by an amount which bears the same relation to the total amount of attorney fees and court costs actually paid by the recipient as the amount actually recovered by the department, exclusive of the reduction for attorney fees and court costs, bears to the total amount paid by the third party to the recipient~~ upon the receipt of a judgment or settlement of the claim, the court costs and reasonable attorney fees shall first be deducted from the judgment or settlement. One-third of the remaining balance shall then be deducted and paid to the recipient. From the remaining balance, the claim of the department shall be paid. Any amount remaining shall be paid to the recipient. An attorney acting on behalf of a recipient of medical assistance for the purpose of enforcing a claim to which the

department is subrogated shall not collect from the recipient any amount as attorney fees which is in excess of the amount which the attorney customarily would collect on claims not subject to this section.

Sec. 16. Section 249A.6, subsection 5, Code 1983, is amended to read as follows:

5. For purposes of this section the term "third party" includes any individual, institution, corporation, employer or employer's workers' compensation liability insurer, or public or private agency which is or may be liable to pay part or all of the medical costs incurred as a result of injury, disease or disability by or on behalf of an applicant for or recipient of assistance under the medical assistance program.

Sec. 17. Section 252B.4, Code 1983, is amended to read as follows:

252B.4 NONASSISTANCE CASES. The child support and paternity determination services established by the department pursuant to this ~~Act~~ chapter and other appropriate services provided by law including but not limited to the provisions of chapters 239, 252A, 598 and 675 shall be made available by the unit to ~~any~~ an individual not otherwise eligible as a public

Page 10

assistance recipient upon application by the individual for the services. The application shall be filed with the department. The commissioner may require an application fee not to exceed twenty dollars ~~as determined by the commissioner~~. The commissioner may require an additional fee to cover the costs incurred by the department in providing the support collection and paternity determination services. The commissioner shall, by ~~regulation~~ rule, establish and make available to all applicants for support enforcement and paternity determination services a fee schedule~~, however, the fee shall not exceed ten percent of any support money recovered by department action~~. The fee for support collection and paternity determination services charged to an applicant shall be agreed upon in writing by the ~~individual requesting~~ applicant, and shall be based upon the applicant's ability to pay for the services. The application fee and the additional fee for services ~~provided~~ may be deducted from the amount of the support money recovered by the department. ~~Fees~~ Seventy percent of the fees collected pursuant to this section ~~shall~~ may be retained by the department for use by the unit and thirty percent shall be remitted to the treasurer

of state who shall deposit ~~them~~ it in the general fund of the state. The commissioner or a designee and the treasurer of state shall keep an accurate record of funds so retained, remitted, and deposited.

Sec. 18. Section 252B.6, subsection 5, Code 1983, is amended to read as follows:

5. Initiate ~~any~~ necessary civil ~~procedures deemed necessary by the department~~ proceedings to ~~secure reimbursement~~ recover from the parent of a child, ~~for~~ money expended by the state in providing public assistance or services to the child, including support collection services.

Sec. 19. Section 252B.7, Code 1983, is amended to read as follows:

252B.7 LEGAL SERVICES.

1. The attorney general may perform the legal services for the child support recovery program and may enforce all laws for the recovery of child support from responsible relatives. The attorney general ~~shall have power to~~ may file and prosecute:

~~1~~ a. Contempt of court proceedings to enforce any order of court pertaining to child support.

~~2~~ b. Cases under chapter 252A, the Uniform Support of Dependents Law.

~~3~~ c. An information charging a violation of section 726.3, 726.5 or 726.6.

Page 11

~~4~~ d. Any other lawful action which will secure collection of support for minor children.

2. For the ~~aforesaid~~ purposes of subsection 1, the attorney general ~~shall have~~ has the same power to commence, file and prosecute any action or information in the proper jurisdiction, which the county attorney could file or prosecute in that jurisdiction. This ~~shall in no way~~ section does not relieve ~~any~~ a county attorney from ~~his or her~~ the county attorney's duties, or the attorney general from the supervisory power of the attorney general, in the recovery of child support.

3. The unit may contract with a county attorney, the attorney general, a clerk of the district court, or another person or agency to collect support obligations and to administer the child support program established pursuant to this chapter. Notwithstanding section 13.7, the unit may contract with private attorneys for the prosecution of civil collection and recovery cases and may pay reasonable compensation and expenses to private attorneys for the prosecution services provided.

Sec. 20. NEW SECTION. 252B.11 RECOVERY OF COSTS OF COLLECTION SERVICES. The unit may initiate necessary civil proceedings to recover the unit's costs of support collection services provided to an individual, whether or not the individual is a public assistance recipient, from an individual who owes and is able to pay a support obligation but willfully fails to pay the obligation. The unit may seek a lump sum recovery of the unit's costs or may seek to recover the unit's costs through periodic payments which are in addition to periodic support payments. If the unit's costs are recovered from an individual owing a support obligation, the costs shall not be deducted from the amount of support money received from the individual. Seventy percent of the costs collected pursuant to this section may be retained by the department for use by the unit and thirty percent shall be remitted to the treasurer of state who shall deposit it in the general fund of the state. The commissioner or a designee and the treasurer of state shall keep an accurate record of funds so retained, remitted, and deposited.

Sec. 21. Section 421.17, subsection 21, Code 1983, is amended to read as follows:

21. To establish and maintain a procedure to set off against a debtor's income tax refund or rebate any debt, which is assigned to the department of social services, ~~or~~ which the child support recovery

Page 12

unit is attempting to collect on behalf of ~~any~~ an individual not eligible as a public assistance recipient, or which the foster care recovery unit of the department of social services is attempting to collect on behalf of a child receiving foster care provided by the department of social services, which has accrued through written contract, subrogation, or court judgment and which is in the form of a liquidated sum due and owing for the care, support or maintenance of a child or which is owed to the state for public assistance overpayments which the office of investigations of the department of social services is attempting to collect on behalf of the state. For purposes of this subsection, "public assistance" means aid to dependent children, medical assistance, food stamps, foster care, and state supplementary assistance. The procedure shall meet the following conditions:

a. Before setoff all outstanding tax liabilities collectible by the department of revenue shall be

satisfied except that no portion of a refund or rebate shall be credited against ~~any~~ tax liabilities which are not yet due.

b. Before setoff the child support recovery unit established pursuant to section 252B.2, the foster care recovery unit, and the office of investigations shall obtain and forward to the department of revenue the full name and social security number of the debtor. The department of revenue shall co-operate in the exchange of relevant information with the child support recovery unit as provided in section 252B.9, with the foster care recovery unit, and with the office of investigations. However, only relevant information required by the child support unit, by the foster care recovery unit, or by the office of investigations shall be provided by the department of revenue. The information shall be held in confidence and shall be used for purposes of setoff only.

c. The child support recovery unit, the foster care recovery unit, and the office of investigations shall, at least annually, submit to the department of revenue for setoff the ~~above-mentioned~~ debts described in this subsection, which are at least fifty dollars, on a date ~~or dates~~ to be specified by the department of social services by rule.

d. Upon submission of a claim the department of revenue shall notify the child support recovery unit, the foster care recovery unit, or the office of investigations as to whether the debtor is entitled to a refund or rebate ~~of at least fifty dollars~~ and

Page 13

if so entitled shall notify the unit or office of the amount of the refund or rebate and of the debtor's address on the income tax return.

e. Upon notice of entitlement to a refund or rebate the child support recovery unit, the foster care recovery unit, or the office of investigations shall send written notification to the debtor, and a copy of the notice to the department of revenue, of the unit's or office's assertion of its rights or the rights of an individual not eligible as a public assistance recipient to all or a portion of the debtor's refund or rebate and the entitlement to recover the debt through the setoff procedure, the basis of the assertion, the opportunity to request that a joint income tax refund or rebate be divided between spouses, the debtor's opportunity to give written notice of intent to contest the claim, and the fact that failure to contest the claim by written

application for a hearing will result in a waiver of the opportunity to contest the claim, causing final setoff by default. ~~The~~ Upon application filed with the department within fifteen days from the mailing of the notice of entitlement to a refund or rebate, the child support recovery unit, the foster care recovery unit, or the office of investigations shall ~~upon application~~ grant a hearing pursuant to chapter 17A. ~~Any~~ An appeal taken from the decision of a hearing officer and ~~any~~ subsequent appeals shall be taken pursuant to chapter 17A.

f. Upon the ~~timely~~ request of a debtor or a debtor's spouse to the child support recovery unit, the foster care recovery unit, or the office of investigations, filed within fifteen days from the mailing of the notice of entitlement to a refund or rebate, and upon receipt of the full name and social security number of the debtor's spouse, the unit or office shall notify the department of revenue of the request to divide a joint income tax refund or rebate. The department of revenue shall upon receipt of the notice divide a joint income tax refund or rebate between the debtor and the debtor's spouse in proportion to each spouse's net income as determined under section 422.7.

g. The department of revenue shall, after notice has been sent to the debtor by the child support recovery unit, the foster care recovery unit, or the office of investigations, set off the ~~above-mentioned~~ debt against the debtor's income tax refund or rebate ~~if both the debt and the refund or rebate are at least fifty dollars~~. However, if a debtor has made all

Page 14

current child support or foster care payments in accordance with a court order or an assessment of foster care liability for the twelve months preceding the proposed setoff and has regularly made delinquent child support or foster care payments during those twelve months, the child support or foster care recovery unit shall notify the department of revenue not to ~~setoff~~ set off the debt against the debtor's income tax refund or rebate. If a debtor has made all current repayment of public assistance in accordance with a court order or voluntary repayment agreement for the twelve months preceding the proposed setoff and has regularly made delinquent payments during those twelve months, the office of investigations shall notify the department of revenue not to set off the debt against the debtor's income

tax refund or rebate. The department shall refund any balance of the income tax refund or rebate to the debtor. The department of revenue shall periodically transfer the amount set off to the child support recovery unit, the foster care recovery unit, or the office of investigations. If the debtor gives timely written notice of intent to contest the claim the department of ~~social services~~ revenue shall hold the refund or rebate until final disposition of the contested claim pursuant to chapter 17A or by court judgment. The child support recovery unit, the foster care recovery unit, or the office of investigations shall notify the debtor in writing upon completion of setoff.

Sec. 22. Section 421.17, subsection 25, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

25. To provide that in the case of multiple claims to refunds or rebates filed under subsections 21 and 23, that priority shall be given to claims filed by the child support recovery unit or the foster care recovery unit under subsection 21, next priority shall be given to claims filed by the college aid commission under subsection 23, and last priority shall be given to claims filed by the office of investigations under subsection 21.

Sec. 23. Section 692.3, subsection 2, Code 1983, is amended to read as follows:

2. Notwithstanding subsection 1, paragraph "a", the department of social services ~~may~~ shall redisseminate criminal history data obtained pursuant to section 692.2, subsection 1, paragraph "c", to persons licensed or registered under chapters 237 and 237A for the purposes of section 237.8, subsection

Page 15

2 and section 237A.5. Licensees and registrants under either chapter 237 or chapter 237A who receive information pursuant to this subsection shall not use the information other than for purposes of section 237.8, subsection 2 or section 237A.5. A licensee or registrant who uses the information for other purposes or who communicates the information to another except for the purposes of section 237.8, subsection 2 or section 237A.5 is guilty of an aggravated misdemeanor."

2. By renumbering as necessary.

VAN MAANEN of Mahaska
FEY of Scott
GRANDIA of Marion
CHAPMAN of Linn
HOFFMANN-BRIGHT of Muscatine
CARL of Poweshiek
CLARK of Cerro Gordo
DAVITT of Warren
PARKER of Jasper
TORRENCE of Muscatine
ARNOULD of Scott
HAVERLAND of Polk

H—4026

Amend Senate File 530 as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by inserting after line 18 the following:

"The amount of the net profits to the state from the operation of the state liquor stores during the fiscal year beginning July 1, 1983 and ending June 30, 1984 which exceed the amount of the net profits to the state from the operation of the state liquor stores during the fiscal year beginning July 1, 1982 and ending June 30, 1983 shall be deposited into a special liquor fund for transfer to the state general fund for the purpose of providing an appropriation to the Iowa department of substance abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985."

SWARTZ of Marshall

H—4027

Amend Senate File 530 as amended, passed and reprinted by the Senate, as follows:

1. Page 4, by inserting after line 31 the following:

" . It is the intent of the general assembly that the department amend its rules relating to the contents of the declaration of value so that if, after having made a good faith effort, the person or person's agent completing the declaration of value is unable to obtain the social security or federal identification number of the other party to the transaction because it is beyond the control of the person completing the declaration of value, a signed affidavit stating that the effort was made and the reason why the number could not be obtained shall be submitted with the incomplete declaration of value and this declaration of value with the attached affidavit is to be considered sufficient compliance with sections 428A.1 and 428A.4."

SWARTZ of Marshall

H—4032

Amend Senate File 532 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, by striking lines 14 through 19 and inserting in lieu thereof the following: "for

operation of the Iowa veterans home, the following amounts, or so much thereof as is necessary:

	1983-1984 Fiscal Year
1. For salaries and support, maintenance, and miscellaneous purposes	$17,634,000
2. For purchases of motor fuel and special fuel	$ 12,000".

2. Page 3, line 30, by striking the figure "46,439,000" and inserting in lieu thereof the figure "46,380,500".

3. Page 3, by inserting after line 30 the following:

" . For purchases of motor fuel and special fuel ..... $ 46,000".

4. By striking page 5, line 34 through page 6, line 2 and inserting in lieu thereof the following:

"7. For parole services:

a. For salaries and support, maintenance, and miscellaneous purposes	$ 1,146,000
b. For purchases of motor fuel and special fuel	$ 15,000".

5. Page 7, line 20, by striking the figure "31,100,000" and inserting in lieu thereof the figure "31,034,000".

6. Page 7, by inserting after line 20 the following:

" . For purchases of motor fuel and special fuel ..... $ 53,000".

7. Page 8, line 24, by striking the figure "48,370,000" and inserting in lieu thereof the figure "48,275,000".

8. Page 8, by inserting after line 24 the following:

" . For purchases of motor fuel and special fuel ..... $ 76,000".

9. By renumbering as necessary.

SPEAR of Lee

H—4042

Amend H—4003 to Senate File 532 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 2 the following:

" . Page 3, line 30, by striking the figure "46,439,000" and inserting in lieu thereof the figure "46,409,000".

JOCHUM of Dubuque

H—4052

Amend H—3994 to Senate File 532 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 8, by striking the words "five hundred ninety-five" and inserting in lieu thereof the words "six hundred twenty".

2. Page 1, line 11, by striking the words "five hundred ninety-five" and inserting in lieu thereof the words "six hundred twenty".

SPEAR of Lee

H—4053

Amend H—3994 to Senate File 532 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 5, by striking the word "twenty" and inserting in lieu thereof the word "forty-five".

2. Page 1, line 8, by striking the words "five hundred ninety-five" and inserting in lieu thereof the words "six hundred forty-five".

3. Page 1, line 11, by striking the words "five hundred ninety-five" and inserting in lieu thereof the words "six hundred forty-five".

HALVORSON of Clayton

H—4069

Amend House File 646 as follows:

1. By striking page 6, line 9 through page 7, line 34 and inserting in lieu thereof the following:

"Sec. 9. The following annual salary ranges are effective for the positions specified in this section and for the fiscal years indicated. The salary shall be paid to the person indicated at a rate determined as otherwise provided by law within the salary ranges from funds provided for that purpose.

	1983-1984 Fiscal Year		1984-1985 Fiscal Year	
	Minimum	Maximum	Minimum	Maximum
1. For the clerk of the supreme court	$23,300	$35,000	$24,200	$36,400
2. For the court administrator	35,000	46,700	36,400	48,600
3. For the deputy administrator and research director	29,200	40,800	30,400	42,400
4. For the court fiscal director	23,300	35,000	24,200	36,400

5. For assistants to the court administrator	17,500	29,200	18,200	30,400
6. For each full-time shorthand reporter of the district court	15,450	25,850	16,100	26,880

The salary range for the fiscal year beginning July 1, 1984 is effective for subsequent fiscal years until otherwise provided by the general assembly."

2. Page 8, line 1, by striking the numbers "9, 10, and 11" and inserting in lieu thereof the following: "and 9".

3. Page 14, by striking lines 4 through 23.

4. By renumbering sections to conform with this amendment.

JOCHUM of Dubuque

H—4074

Amend the Senate amendment, H—4002, to House File 532, as amended, passed, and reprinted by the House, as follows:

1. Page 2, by striking lines 16 through 18 and inserting in lieu thereof the following:

"There is appropriated from the general fund of the state to the Iowa college aid commission, the sum of thirty thousand (30,000) dollars, or as much thereof as is necessary, for the fiscal year beginning July 1, 1983, and the sum of sixty thousand (60,000) dollars, or as much thereof as is necessary, for the fiscal year beginning July 1, 1984 and each succeeding fiscal year,".

2. Page 2, line 21, by striking the word "Annual" and inserting in lieu thereof the words "Maximum annual".

3. Page 2, line 32, by striking the word "A" and inserting in lieu thereof the words and figure "For the school year beginning July 1, 1983 and succeeding school years, a".

4. By striking page 2, line 46 through page 3, line 2, and inserting in lieu thereof the following: "equivalent basis in foreign language courses at the first-year level and twenty-five dollars times the sum of the number of pupils enrolled for the entire school year on a full-time equivalent basis in sequential mathematics courses at the advanced algebra level and above and in chemistry, advanced chemistry, physics and advanced physics courses."

5. Page 3, line 14, by inserting after the word "income." the following: "Moneys received by a school

district for pupils enrolled in science and mathematics courses shall be used only for purchase of equipment."

6. Page 3, by striking lines 15 through 22.

7. Page 3, by inserting after line 22 the following:

"Sec. . Section 261.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Prepare and administer the Iowa science and mathematics loan program under this chapter.

Sec. . NEW SECTION. 261.28 SCIENCE AND MATHEMATICS LOAN PROGRAM. The Iowa science and mathematics loan program is established to be administered by the commission. The purpose of the loan program is to assist teachers to obtain or to upgrade their teaching authorization in the areas of science or mathematics. The commission shall adopt rules under chapter 17A, in consultation with the board of educational examiners, to administer the

Page 2

program. The rules shall provide that loans not be granted to teachers for the purpose of improving their knowledge of subject content or teaching skills in order to teach courses in subject matter areas for which they possess approval granted by the board of educational examiners. The rules shall also provide that priority for loans be given to teachers possessing minimal qualifications for teaching science or mathematics.

Sec. . NEW SECTION. 261.29 LOANS TO TEACHERS. Loans may be granted only to a person possessing a valid teacher's certificate issued under chapter 260. The annual amount of a loan to a teacher enrolled as a full-time student shall not exceed one thousand dollars for the fiscal year beginning July 1, 1983 and one thousand five hundred dollars for each succeeding fiscal year, or the total amount of tuition and fees, whichever is less. The annual amount of a loan to a teacher enrolled on at least a half-time basis shall not exceed five hundred dollars for the fiscal year beginning July 1, 1983 and seven hundred fifty dollars for each succeeding fiscal year, or the total amount of tuition and fees, whichever is less. Loans may be made for courses in programs offered in this state and approved by the board of educational examiners. The board of educational examiners shall adopt rules pursuant to chapter 17A for approval of programs. The rules shall require that the programs provide training in both subject

content and teaching methodology for mathematics and science teaching.

The commission shall set a final date for submission of applications each year and shall review the applications and inform the recipients within a reasonable time after the deadline.

Sec. . NEW SECTION. 261.30 APPROPRIATIONS.

There is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1983 the sum of forty thousand (40,000) dollars, or as much thereof as is necessary, and for each succeeding fiscal year, the sum of one hundred forty thousand (140,000) dollars, or as much thereof as is necessary, to make loans under sections 261.28 and 261.29.

Sec. . NEW SECTION. 261.31 REPAYMENT.

Repayment of the loan shall begin one year after the teacher completes the educational program for which tuition and fees are received. If a teacher submits evidence to the commission that the teacher was employed as a teacher of one or more science or

Page 3

mathematics courses or as an elementary teacher teaching science and mathematics in a public school district during that year in this state, fifty percent of the amount of the loan is canceled.

At the end of the second year, if the teaching requirements are met, the remainder of the loan is forgiven and payments made by that teacher during the year shall be refunded to the teacher.

There is created a science and mathematics loan repayment fund for deposit of payments made by teachers. Refunds of payments by teachers shall be paid by the commission to the teachers from the fund created in this section. Payments made by teachers that are not refunded shall be transferred on each June 30 from the fund created in this section to the general fund of the state.

The interest rate collected on the loan shall be equal to the interest rate being collected by an eligible lender under the guaranteed student loan program.

The commission shall prescribe by rule the terms of repayment which shall provide for monthly payments of principal and interest of not less than seventy-five dollars.

Sec. . NEW SECTION. 257.27 PROGRAMS FOR IMPROVEMENT OF SCIENCE AND MATHEMATICS TEACHING.

The department shall provide for the establishment

of programs, approved by the board of educational examiners, for teachers to improve skills in teaching in the science and mathematics areas. Each program shall provide assistance to teachers in subject content and teaching methodology for science or mathematics.

The programs may be established through an area education agency or public or private institution of higher education in this state.

There is appropriated from the general fund of the state to the department of public instruction for the fiscal year beginning July 1, 1983, the sum of forty thousand (40,000) dollars or as much thereof as is necessary, and for the fiscal year beginning July 1, 1984, and each succeeding fiscal year, the sum of one hundred forty thousand (140,000) dollars, or as much thereof as is necessary, to be allocated for the establishment of programs under this section.

Sec. . Section 261.2, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Administer the supplemental grant program under this chapter.

Sec. . NEW SECTION. 261.32 SUPPLEMENTAL GRANT PROGRAM. A person who graduates from a public or

Page 4

private high school in this state after July 1, 1984 who has successfully completed at least seven units of science and mathematics courses, and at least three of the seven units include sequential mathematics courses at the advanced algebra level or higher, chemistry, advanced chemistry, physics, or advanced physics courses, and who attends an eligible institution is eligible for a supplemental grant provided in this chapter.

The department of public instruction shall transmit to the commission a list of high school graduates who have successfully completed the courses required in this section.

For the purpose of this section and section 261.33, an eligible institution is an accredited private institution as defined in section 261.9, subsection 5, an institution of higher learning under the state board of regents, or a merged area school established under chapter 280A.

Sec. . NEW SECTION. 261.33 PAYMENT OF GRANTS. A student meeting the requirements of section 261.32 may make application to the commission, on forms prescribed by the commission, for payment of a supplemental grant to an eligible institution in which the student is enrolled on a full-time basis. The

maximum supplemental grant is five hundred dollars per year. Payment under the grant shall be allocated equally among the semesters or trimesters and shall be paid at the beginning of each semester or trimester upon certification by the eligible institution that the student is admitted as a full-time student and in attendance. If the student discontinues attendance before the end of a semester or trimester after receiving payment under the grant, the amount of refund due the student, up to the amount of payment under the grant, shall be paid by the eligible institution to the state.

An eligible student may receive a supplemental grant for two semesters of undergraduate study or the trimester equivalent.

The amount of a supplemental grant to a student shall not be considered when determining financial need under the Iowa tuition grant and Iowa scholarship programs.

Sec. . NEW SECTION. 261.34 APPROPRIATION. Commencing July 1, 1984, there is appropriated from the general fund of the state to the commission for each fiscal year the sum of one million five hundred thousand (1,500,000) dollars for supplemental grants."

8. Page 3, by inserting after line 30 the fol-

Page 5

lowing:

" . Amend the title page, line 2, by striking the words "and mathematics" and inserting in lieu thereof the words ", mathematics, and foreign languages,".

9. By numbering sections as necessary.

GROTH of Buena Vista

H—4084

Amend House File 646 as follows:

1. By striking page 14, line 24 through page 16, line 11.

2. By renumbering sections to conform to this amendment.

HUGHES of Union

H—4110

Amend Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 8, by inserting after line 28 the following:

"As a condition of the appropriation made in this paragraph, the state board of regents shall provide that tickets to athletic events and other events sponsored by the university that are for sale to the general public are allocated so that the percent of these tickets offered on a first-come first-serve basis is equal to the percent of the general university budget that is state funds."

2. Page 10, by inserting after line 35 the following:

"As a condition of the appropriation made in this paragraph, the state board of regents shall provide that tickets to athletic events and other events sponsored by the university that are for sale to the general public are allocated so that the percent of these tickets offered on a first-come first-serve basis is equal to the percent of the general university budget that is state funds."

3. Page 11, by inserting after line 16 the following:

"As a condition of the appropriation made in this subsection, the state board of regents shall provide that tickets to athletic events and other events sponsored by the university that are for sale to the general public are allocated so that the percent of these tickets offered on a first-come first-serve basis is equal to the percent of the general university budget that is state funds."

GROTH of Buena Vista

H–4112

Amend Senate File 533 as follows:

1. Page 8, by striking line 18 and inserting in lieu thereof the following:

"(1) For salaries, support,".

2. Page 8, by striking line 28 and inserting in lieu thereof the following:

"of diabetes mellitus ..... $ 106,271,328

(2) For purchases of motor fuel and special fuel ..... $ 303,250".

3. Page 10, by striking lines 33 through 35 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, equipment and miscellaneous purposes ..... $ 87,307,345

(2) For purchases of motor fuel and special fuel ..... $ 108,265".

4. Page 11, by striking lines 14 through 16 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, equipment, and miscellaneous purposes ..... $ 34,088,425

(2) For purchases of motor fuel and special fuel ..... $ 303,250".

5. Page 11, by striking lines 19 through 21 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, and miscellaneous purposes ..... $ 4,199,342

(2) For purchases of motor fuel and special fuel ..... $ 13,637".

6. Page 11, by striking lines 24 through 26 and inserting in lieu thereof the following:

"(1) For salaries, support, maintenance, and miscellaneous purposes ..... $ 2,282,861

(2) For purchases of motor fuel and special fuel ..... $ 8,550".

OSTERBERG of Linn
BRANSTAD of Winnebago
KOENIGS of Mitchell
OXLEY of Linn
McINTEE of Black Hawk

H—4116

Amend House File 656 as follows:

1. Page 17, by inserting after line 12 the following:

"Sec. . 1982 Iowa Acts, chapter 1262, section 4, subsections 1 and 3, are amended to read as follows:

1. There is appropriated from the fund created by 1981 Iowa Acts ~~of the Sixty-ninth General Assembly, 1981 Session~~, chapter 17, section 3, subsection 1, to the energy policy council, ~~the sum of thirty-two million five hundred thousand (32,500,000)~~ thirty-six million seven hundred nineteen thousand eight hundred (36,719,800) dollars for the fiscal period beginning October 1, 1982 and ending September 30, 1983. The funds appropriated by this section are the anticipated funds to be received from the federal government for federal fiscal year 1983 under Pub. L. No. 97-35, Title XXVI, which provides for the low-income home energy assistance block grants. The energy policy council shall expend the funds appropriated by this section as provided in the federal law making the funds available and in conformance

with chapter 17A.

3. The remaining funds appropriated in this section shall be allocated to help eligible households, as defined in accordance with Pub. L. No. 97-35, to meet the costs of home energy. However, at least ~~ten~~ twelve and one-half percent and not more than fifteen percent of the funds appropriated by this section shall be used to provide for low-income residential weatherization or other related home repairs for low-income households. If any low-income home energy assistance block grant funds are unexpended for home energy costs, and after reserving a reasonable portion of the funds, not to exceed one million dollars, to carry forward into the federal fiscal year beginning October 1, 1983, the unexpended funds shall be allocated for low-income residential weatherization or other related home repairs for low-income households, up to the maximum of fifteen percent. The funds transferred to low-income weatherization shall include money for administrative expenses."

2. Page 17, by inserting after line 20 the following:

"Sec. . 1982 Iowa Acts, chapter 1262, section 14, subsection 3, is amended by striking the subsection."

3. By renumbering as necessary.

JOCHUM of Dubuque

H–4123

Amend House File 652 as follows:

1. Page 1, by inserting after line 16 the following:

"Sec. . Section 554.3507, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The holder of a dishonored instrument may assess a surcharge against the maker of the instrument. The surcharge may not exceed:

a. Ten dollars for each dishonored instrument if the maker pays the amount due on the instrument within seven days of dishonor.

b. Fifteen dollars for each dishonored instrument in an amount of less than one hundred dollars if the maker does not pay the amount on the instrument due within seven days of dishonor.

c. Twenty dollars for each dishonored instrument in an amount of one hundred dollars or more if the maker does not pay the amount due on the instrument within seven days of dishonor.

Sec. . Section 625.22, unnumbered paragraph

2, Code 1983, is amended to read as follows:

In an action against the maker to recover payment on a check, or draft, ~~or written instrument written in violation of chapter 714~~ as defined in section 554.3104, the plaintiff, if successful, ~~may~~ shall recover, in addition to all other costs or surcharges provided by law, all court costs incurred, including a reasonable attorney's fee, ~~or an individual's cost of processing a small claims recovery such as lost time and transportation costs from the maker of the check, draft, or written instrument~~. In such an action by a person not represented by an attorney, the plaintiff, if successful, shall recover from the maker all court costs incurred and reasonable costs for processing the action including, but not limited to, time lost from a business or profession and transportation costs, in addition to all other costs or surcharges provided by law."

SCHROEDER of Pottawattamie

H—4124

Amend Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 13, by inserting after line 30 the following section:

"Sec. . Section 261.36, subsection 6, Code 1983, is amended to read as follows:

6. Approve financial or credit institutions, insurance companies or other lenders as eligible lenders upon their meeting the standards established by the commission for making guaranteed loans. However, the commission shall not establish standards for approval of financial or credit institutions that deny approval because an institution also uses a private nonprofit corporation located outside this state to guarantee loans of Iowa students."

2. By numbering and renumbering sections as necessary.

SCHROEDER of Pottawattamie

H—4126

Amend the amendment H—4110 to Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 11 and 12 and inserting in lieu thereof the following: "basis is equal to the percent of the athletic program budget,

not including physical education programs, that is state funds."

2. Page 1, by striking lines 21 and 22 and inserting in lieu thereof the following: "basis is equal to the percent of the athletic program budget, not including physical education programs, that is state funds."

3. Page 1, by striking lines 31 and 32 and inserting in lieu thereof the following: "basis is equal to the percent of the athletic program budget, not including physical education programs, that is state funds."

VARN of Johnson

H–4127

Amend House File 656 as follows:

1. Page 4, by inserting after line 35, the following:

"The personal and family health division of the state department of health and the regional and mobile child health specialty clinics at the university of Iowa hospitals and clinics under the council of the state board of regents shall jointly develop and implement a plan for the expenditure of these funds in accordance with this subsection. These funds shall be targeted, to the extent possible, to areas of high unemployment and to disadvantaged families who lack adequate third party reimbursement to pay for care."

CARPENTER of Polk
DE GROOT of Lyon
BUHR of Polk
STURGEON of Woodbury

H–4134

Amend House File 652 as follows:

1. Page 2, by striking lines 14 through 22 and inserting in lieu thereof the following: "property one hundred dollars or less in value is false use of a financial instrument in the fourth degree. False use of a financial instrument in the fourth degree is a serious misdemeanor."

Committee on Judiciary and Law Enforcement

H–4142

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 7 the following:
" . "Holder of occupational license" means a person licensed by the commission to perform an occupation which the commission has identified as requiring a license to engage in within the racing industry in Iowa."
2. Page 2, by striking line 24 and inserting in lieu thereof the words "A member,".
3. Page 2, by striking lines 27 through 29 and imserting in lieu thereof the following: "venture, or contract with an owner or lessee of a racetrack, a licensee, or a holder of an occupational license.
b. Be employed in any capacity by a racetrack, licensee, or a holder of an occupational license."
4. Page 3, by striking lines 18 through 20 and inserting in lieu thereof the following:
"Sec. 6. NEW SECTION. 99D.6 POWERS AND AUTHORITY. The commission shall have full jurisdiction over and shall supervise all race meetings governed by this chapter. The commission shall have the following powers and shall adopt rules pursuant to chapter 17A to implement this chapter:
1. To investigate applicants and determine the eligibility of applicants for a license and to select among competing applicants for a license the applicant which best serves the interests of the citizens of Iowa.
2. To identify occupations within the racing industry which require licensing and adopt standards for licensing the occupations including establishing fees for the occupational licenses.
3. To adopt standards under which all race meetings shall be held and standards for the facilities within which the race meetings shall be held.
4. To regulate the purse structure for race meetings including establishing a minimum purse.
5. To cooperate with the department of agriculture to establish and operate, or contract for, a laboratory and related facilities to conduct saliva, urine, and other tests on animals that are to run or that have run in races governed by this chapter.
6. To establish fees for the testing of animals sufficient to cover the costs of the tests and to purchase the necessary equipment for the testing.
7. To enter the office, racetrack, facilities, or other places of business of a licensee to determine compliance with this chapter.
8. To investigate alleged violations of this

Page 2

chapter or the commission rules, orders, or final decisions and to take appropriate disciplinary action against a licensee or a holder of an occupational license for the violation, or institute appropriate legal action for enforcement, or both.

9. To authorize stewards, starters, and other racing officials to impose fines or other sanctions upon a person violating this chapter or the commission rules, orders, or final orders including a tout, bookmaker, or other person deemed to be undesirable from the race track facilities.

10. To require the removal of a racing official, an employee of a licensee, or a holder of an occupational license, or employee of a holder of an occupational license for a violation of this chapter or a commission rule or engaging in a fraudulent practice.

11. To prevent an animal from racing if the commission or commission employees with cause believe the animal or its owner, trainer, or an employee of the owner or trainer is in violation of this chapter or commission rules.

12. To withhold payment of a purse or pari-mutuel wager if the outcome of a race is disputed or until tests are performed on the animals to determine if they were illegally drugged.

13. To provide for immediate determination of the disposition of a challenge by a racing official or representative of the commission by establishing procedures for informal hearings before a panel of stewards at a racetrack.

14. To require a licensee to file an annual balance sheet and profit and loss statement pertaining to the licensee's racing activities in this state, together with a list of the stockholders or other persons having any beneficial interest in the racing activities of each licensee.

15. To issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records and other pertinent documents in accordance with chapter 17A, and to administer oaths and affirmations to the witnesses, when, in the judgment of the racing commission, it is necessary to enforce this chapter or the commission rules.

16. To keep accurate and complete records of its proceedings and to certify the records as may be appropriate.

17. To require all licensees to use a computerized totalisator system for calculating odds and pay-outs from the pari-mutuel wagering pool and to establish

Page 3

standards to insure the security of the totalisator system.

18. To revoke or suspend licenses and impose fines not to exceed one thousand dollars.

19. To take any other action as may be reasonable or appropriate to enforce this chapter and the commission rules."

5. Page 4, by striking lines 30 through 32 and inserting in lieu thereof the following:

"3. A license shall not be granted to a nonprofit corporation if there is substantial evidence that the applicant for a license:

a. Has been suspended or ruled off a recognized course in another jurisdiction by the racing board or commission of that jurisdiction.

b. Has not demonstrated financial responsibility sufficient to meet adequately the requirements of the enterprise proposed.

c. Is not the true owner of the enterprise proposed.

d. Is not the sole owner, and other persons have ownership in the enterprise which fact has not been disclosed.

e. Has knowingly made a false statement of a material fact to the commission.

f. Has failed to meet any monetary obligation in connection with a race meeting held in this state.

4. A license shall not be granted to a licensee for racing on more than one racetrack at the same time.

5. A licensee may not loan or give to any person money or any other thing of value for the purpose of permitting that person to wager on any race.

6. Upon a violation of any of the conditions listed in this section, the commission shall immediately revoke the license."

6. Page 5, line 24, by striking the word "fifteen" and inserting in lieu thereof the word "sixteen".

7. Page 6, by striking line 25 and inserting in lieu thereof the following: "the person who placed the wager within sixty days of the close of the racing meet during which".

8. Page 7, by striking lines 21 through 26 and inserting in lieu thereof the following: "-RATE. A tax of six percent is imposed on the gross sum wagered by the pari-mutuel method at each race meeting. The tax imposed by this section shall be paid by the licensee to the treasurer of state within ten days after the close of each race meeting and shall be distributed as follows:

Page 4

1. If the racetrack is located in a city, five of the six percent shall be deposited in the general fund of the state. One-half of one percent of the six percent shall be remitted to the treasurer of the city in which the racetrack is located and shall be deposited in the general fund of the city. The remaining one-half of one percent shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county.

2. If the racetrack is located in an unincorporated part of a county, five and one-half percent of the six percent shall be deposited in the general fund of the state. The remaining one-half of one percent shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county."

9. Page 11, by inserting after line 13 the following:

" . A person commits a class "D" felony and, in addition, shall be barred for life from racetracks under the jursidiction of the commission, if the person does any of the following:

a. Offers, promises, or gives anything of value or benefit to a person who is connected with racing including, but not limited to, an officer or employee of a licensee, an owner of a horse, a jockey or driver, a trainer, or handler, pursuant to an agreement or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to whom the offer, promise, or gift was made in order to affect or attempt to affect the outcome of a race, or to influence official action of a member of the commission.

b. Solicits or knowingly accepts or receives a promise of anything of value or benefit while the person is connected with racing including, but not limited to, an officer or employee of a licensee, an owner of a horse, a jockey or driver, a trainer, or handler, pursuant to an understanding or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to affect or attempt to affect the outcome of a race, or to influence official action of a member of the commission."

10. Page 14, by striking lines 1 through 4 and inserting in lieu thereof the following:

"a. For a first offense involving an amount of money:

(1) Not exceeding one hundred dollars is illegal

Page 5

gaming in the fourth degree. A fourth degree offense is a serious misdemeanor.

(2) Exceeding one hundred dollars but not exceeding five hundred dollars is illegal gaming in the third degree. A third degree offense is an aggravated misdemeanor.

(3) Exceeding five hundred dollars but not exceeding five thousand dollars is illegal gaming in the second degree. A second degree offense is a class "D" felony.

(4) Exceeding five thousand dollars is illegal gaming in the first degree. A first degree offense is a class "C" felony.

b. For a second offense, the offense is one degree greater than what the offense would be if the offense had been a first offense.

c. For a third offense, the offense is two degrees greater than what the offense would be if the offense had been a first offense.

d. For a fourth and any subsequent offense, the offense is three degrees greater than what the offense would be if the offense had been a first offense.

The maximum sentence imposed for a violation of this section shall be the same as that of a class "C" felony under section 902.9."

11. Renumber as necessary.

COPENHAVER of Buchanan
WOODS of Polk

H—4144

Amend Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 8, by inserting after line 28 the following:

"As a condition of the appropriation made in this paragraph, the institution shall adopt an allocation policy for tickets for sale to the general public to athletic events and other events that provides that at least twenty percent of the tickets available for sale to the general public for an event shall be sold without requiring that the purchaser has contributed to a program or facility of the university. Not more than four of these tickets shall be sold to a single purchaser."

KREWSON of Polk

GROTH of Buena Vista
SHOULTZ of Black Hawk

McKEAN of Jones
HAVERLAND of Polk
BRANSTAD of Winnebago
STURGEON of Woodbury
HUGHES of Union
MAULSBY of Calhoun
GRONSTAL of Pottawattamie
OLLIE of Clinton
HERMANN of Scott
PAULIN of Plymouth
WOODS of Polk
COREY of Louisa
VAN CAMP of Scott
BLACK of Jasper
KOENIGS of Mitchell
BLANSHAN of Greene
FOGARTY of Palo Alto
FEY of Scott
HALVORSON of Webster
PARKER of Jasper
COPENHAVER of Buchanan
PEICK of Linn
ARNOULD of Scott
JAY of Appanoose
CARTER of Henry
O'KANE of Woodbury
CONNOLLY of Dubuque
RENAUD of Polk
RENKEN of Grundy
SHERZAN of Polk
GRONINGA of Cerro Gordo
DAGGETT of Taylor
JOCHUM of Dubuque
SKOW of Guthrie
KNAPP of Dubuque
GRUHN of Dickinson
COCHRAN of Webster
ANDERSON of Audubon
SWARTZ of Marshall
COOPER of Lucas
SCHNEKLOTH of Scott

H—4145

Amend the amendment H—4114 to Senate File 533, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by striking lines 7, 8, and 9 and inserting in lieu thereof the following:

" . Page 6, line 15, by inserting after the word "instruction." the following: "The formula shall provide each merged area school with the same amount of state financial aids as the area school received during the fiscal year beginning July 1, 1982 and ending June 30, 1983 and a proportionate amount of the remaining funds appropriated in this paragraph. The remaining funds shall be allocated to each area school based upon the proportion that the student contact hours of enrollment eligible to receive general state financial aid for the area school for the fiscal year beginning July 1, 1982 and ending June 30, 1983 bears to the total number of student contact hours of enrollment for all area schools for the fiscal year beginning July 1, 1982 and ending June 30, 1983."

GROTH of Buena Vista
OLLIE of Clinton
HAVERLAND of Polk

H–4147

Amend Senate File 92 as amended, passed and reprinted by the Senate, as follows:

1. Page 11, by inserting after line 34 the following new section:

"Sec. . NEW SECTION. 99D.22B AUTOPSY REQUIRED–PENALTY.

1. The commission shall require that an autopsy be performed by the commission's veterinarian staff on any horse or dog that dies in any of the following circumstances:

a. On any part of a race track facility.

b. Within forty-eight hours before the horse or dog was scheduled to race.

c. Within forty-eight hours after a horse or dog raced in a race governed by this chapter. The analysis of the specimens and results of the autopsy shall be done cooperatively by the commission and the division of criminal investigation.

2. The death of a horse or dog, which would require that an autopsy be performed on its body pursuant to subsection 1, shall be reported by the owner or the owner's agent or employee to the commission within two hours of the death. The owner or the owner's agent or employee shall permit the commission staff to take possession of the body of the horse or dog. A person who violates this subsection is guilty of an aggravated misdemeanor.

3. Specimen samples shall be retained by the commission and division of criminal investigation for at least one year."

2. Renumber as necessary.

CLARK of Cerro Gordo

H–4150

Amend Senate File 92 as amended, passed, and reprinted by the Senate as follows:

1. Page 2, line 3, by striking the word "five" and inserting in lieu thereof the word "seven".

2. Page 2, line 7, by inserting after the number "69.19." the following: "The seven members of the commission shall be appointed with the following qualifications:

a. One member shall have a previous affiliation with and an understanding of the needs and concerns of the horse or dog owners and trainers.

b. One member shall have a comprehension of the operation of racetracks.

c. One member shall have a background and training in veterinary medicine.

d. One member shall have an understanding of the governmental concerns and considerations.

e. One member shall have a working knowledge of law enforcement and the criminal justice system.

f. Two members shall have no affiliation with any part of the pari-mutuel wagering or racing industry."

3. Page 2, by striking lines 10 through 12 and inserting in lieu thereof the following:

"3. Not more than four members of the commission shall belong to the same political party. One member shall be appointed from each of the six congressional districts and one member shall be appointed at large."

4. Page 2, line 13, by striking the words "congressional district."

5. Page 14, line 13, by striking the word "two" and inserting in lieu thereof the word "three".

6. Page 14, line 15, by striking the word "one" and inserting in lieu thereof the word "two".

CLARK of Cerro Gordo

H—4151

Amend amendment H—4142 to Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 4, line 48 through page 5, line 13 and inserting in lieu thereof the following:

"a. For a first offense:

(1) Illegal gaming in the fourth degree if the amount involved does not exceed one hundred dollars. Illegal gaming in the fourth degree is a serious misdemeanor.

(2) Illegal gaming in the third degree if the amount involved exceeds one hundred dollars but does not exceed five hundred dollars. Illegal gaming in the third degree is an aggravated misdemeanor.

(3) Illegal gaming in the second degree if the amount involved exceeds five hundred dollars but does not exceed five thousand dollars. Illegal gaming in the second degree is a class "D" felony.

(4) Illegal gaming in the first degree if the amount involved exceeds five thousand dollars. Illegal gaming in the first degree is a class "C" felony."

ROSENBERG of Story

H—4162

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 11, by inserting after line 34 the following:

"The trainer of an animal raced with any drug, medication, stimulant, depressant, hypnotic, narcotic, local anesthetic or drug-masking agent or any substance foreign to the natural horse, is presumed to have violated this section, unless it is shown that the trainer was not culpable, that the trainer did not administer or authorize the administration of the medication or drug, and that the trainer was not negligent as to the trainer's responsibility for the animal at issue.

For the purpose of this section, a trainer is responsible at all times for the condition of all animals trained by the trainer. No trainer shall start an animal or permit an animal in the trainer's custody to be started if the trainer knows, or if by the exercise of reasonable care the trainer should know or have cause to believe, that the animal has received any drug, medication, stimulant, depressant, hypnotic, narcotic, local anesthetic, or drug-masking agent or any substance foreign to the natural horse, that could result in a positive test for the substances based on samples taken from the animal immediately prior to or immediately after a race. Each trainer shall guard or cause to be guarded each animal trained by the trainer, in such manner and for such period of time prior to racing the animal as is necessary to prevent any persons not employed by or connected with the trainer or owner from administering any drug, medication, stimulant, depressant, hypnotic, narcotic, local anesthetic, or drug-masking agent, or any substance foreign to the natural horse, which could result in a positive test for a substance based on samples taken from the animal immediately prior to or immediately after a race."

CLARK of Cerro Gordo

H—4163

Amend amendment H—4142 to Senate File 92, as amended, passed and reprinted by the Senate, as follows:

1. Page 3, by inserting after line 27 the following:

"g. Is a corporation and ten percent of the stock

of the corporation is subject to a contract or option to purchase at any time during the period for which the license is issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license."

ROSENBERG of Story

H–4166

Amend House File 656 as follows:

1. Page 12, lines 21 and 22, by striking the words "requiring no local matching funds".

2. Page 12, by inserting after line 23 the following:

"A county which uses a portion of its share of funds appropriated under this subsection for child day care services is not required to match that portion of the funds with local funds. All other funds appropriated under this subsection shall be matched by the county at a ratio of one dollar of local funds for every three dollars of funds appropriated under this subsection. The department may raise the income guidelines for income eligible recipients of child day care services to those guidelines in effect during July, 1979. The department of social services shall adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph b, to implement this subsection."

CARL of Poweshiek

H–4167

Amend Senate File 92 as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 25, by inserting after the word "commission" the following: ", or a family member related within the second degree of consanguinity to a member, employee, or appointee of the commission".

VAN MAANEN of Mahaska

H–4172

Amend House File 652 as follows:

1. Page 2, line 35, by striking the word "obtained." " and inserting in lieu thereof the word "obtained."

SPEAR of Lee

H–4174

Amend House File 652 as follows:

1. Page 1, by striking lines 3 through 16 and inserting in lieu thereof the following:

"2. COURT ~~ORDER~~ ORDERS. After a conviction for, or a plea of guilty of, a violation of section 321.281, the court in addition to its power to commit the defendant for treatment of alcoholism under section 321.281, may in lieu of, or prior to or after the imposition of punishment for a first offense or prior to or after the imposition of punishment for any subsequent offense, order the defendant, at the defendant's own expense, to enroll in, attend and successfully complete a course for drinking drivers. ~~The~~ After each conviction, or plea of guilty, of a violation of section 321.281, the court ~~may alternatively or additionally require~~ shall order the defendant to ~~seek~~ submit to an evaluation~~,~~ and, if recommended by the evaluation, a program of treatment or rehabilitation ~~services~~ under section 125.33 at the defendant's expense and to furnish evidence of successful completion. A copy of ~~the~~ each order shall be forwarded to the department."

ROSENBERG of Story

H–4179

Amend House File 652 as follows:

1. Page 1, line 15 by inserting after the word "completion." the following: "In-patient treatment shall not be required upon defendants first conviction or first plea of guilty to a violation of section 321.281."

SHERZAN of Polk
ROSENBERG of Story

H–4180

Amend H–4174, to House File 652 as follows:

1. Page 1, line 21, by inserting after the word "completion." the following: "In-patient treatment shall not be required upon a defendant's first conviction or first plea of guilty to a violation of section 321.281."

SHERZAN of Polk
ROSENBERG of Story

H–4218

Amend House File 652 as follows:

1. By striking page 1, line 19 through page 2, line 35, and inserting in lieu thereof the following:

"715.6 FALSE USE OF A FINANCIAL INSTRUMENT. The use of a financial instrument with the intent to obtain fraudulently anything of value by one who knows that the instrument is not what it purports to be, or who knows that ~~he or she~~ the user is not the person nor the authorized agent of the person who, as shown on the instrument, has the right to so use the instrument, ~~shall constitute~~ constitutes the false use of a financial instrument. False use of a financial instrument is a class ~~"C"~~ "D" felony."

McINTEE of Black Hawk
SCHROEDER of Pottawattamie
CHIODO of Polk
HALVORSON of Clayton
MILLER of Woodbury

H–4236

Amend House File 659 as follows:

1. Page 1, by inserting after line 18 the following new section:

"Sec. . Section 307B.7, subsection 7, Code 1983, is amended to read as follows:

7. Enter into contracts, including partnership agreements, with any person for the ownership, operation, management or use of a railway facility. Provisions shall be made in any contract or partnership agreement entered into by the authority that any additional jobs which may result from the ownership, operation, management, or use of a railway facility shall be offered, ~~when practicable,~~ first to qualified former employees of the Milwaukee Road or Rock Island railroad companies."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

CONNORS of Polk
RUNNING of Linn

H–4238

Amend House File 654 as follows:

1. Page 9, by inserting after line 22 the following:

"Sec. . Section 17A.8, subsection 1, Code 1983, is amended to read as follows:

1. There is created the "Administrative Rules Review Committee." The committee shall be bipartisan and not more than three members from each house shall be of the same political party. The committee shall be composed of the following members:

a. ~~Three~~ Five senators appointed by the president of the senate.

b. ~~Three~~ Five representatives appointed by the speaker of the house."

2. By numbering and renumbering sections to conform to this amendment.

SCHROEDER of Pottawattamie
CHIODO of Polk

H—4240

Amend House File 659 as follows:

1. Page 1, by inserting after line 18 the following sections:

"Sec. 2. Notwithstanding section 324.3, there is imposed for the privilege of operating motor vehicles in this state an excise tax of one cent per gallon upon the use of motor fuel and gasohol used for any purpose for the period beginning July 1, 1983 and ending June 30, 1984. The tax imposed by this section shall be in addition to the tax imposed under section 324.3. The exemptions allowed under section 324.3 from the excise tax imposed under section 324.3 shall also apply to the tax imposed by this section.

Sec. 3. Notwithstanding section 324.34, there is imposed for the privilege of operating motor vehicles in this state, an excise tax at the rate of one cent per gallon on the use of special fuel in any motor vehicle for the period beginning July 1, 1983 and ending June 30, 1984. The tax imposed by this section shall be in addition to the tax imposed under section 324.34. The exemptions allowed under section 324.35 from the excise tax imposed under section 324.34 shall also apply to the tax imposed by this section.

Sec. 4. The provisions of chapter 324 shall be applicable to the imposition, collection, and administration of the tax imposed under sections 2 and 3 of this Act.

Sec. 5. Persons having title to motor fuel, gasohol, or special fuel in storage and held for sale in inventory shall be entitled to an inventory refund upon which the tax imposed by sections 2 and 3 of

this Act has been paid. Persons entitled to the inventory tax refund under this Act shall take an inventory as of the close of business on June 30, 1984 of motor fuel, gasohol, or special fuel entitled to the inventory tax refund for the purpose of determining the tax refund due. These persons shall report the tax refund on forms provided by the department of revenue and remit the forms by July 31, 1984. The department of revenue shall adopt rules as are necessary to carry out this section."

SWARTZ of Marshall

H–4241

Amend House File 659 as follows:

1. Page 1, by inserting after line 18 the following:

"Sec. . Section 312.2, subsection 7, Code 1983, is amended by striking subsection 7."

2. Renumber sections and correct internal references as necessary in accordance with this amendment.

SWARTZ of Marshall

H–4242

Amend House File 610 as follows:

1. Page 1, line 14, by striking the words "day before the".

2. Page 1, line 29, by striking the words "day before the".

3. Page 2, line 2, by striking the words "day before the".

4. Page 2, line 9, by striking the word "before" and inserting in lieu thereof the words "on which".

5. Page 3, line 18, by striking the word "before" and inserting in lieu thereof the words "on which".

6. Page 4, line 16, by striking the words "day before the".

7. Page 4, line 18, by striking the words "the day before".

8. Page 4, line 25, by striking the word "before" and inserting in lieu thereof the words "on which".

9. Page 4, line 30, by striking the word "before" and inserting in lieu thereof the words "on which".

10. Page 5, line 29, by striking the words "before the date".

11. Page 5, line 33, by striking the word "before" and inserting in lieu thereof the words "on which".

12. Page 6, line 14, by inserting after the word "from" the words "the date of the member's".

13. Page 6, by striking lines 16 and 17 and inserting in lieu thereof the following: "from the date of the member's retirement to the effective date of this Act."

COCHRAN of Webster
CLARK of Cerro Gordo

H–4243

Amend the Swartz amendment, H–4241, to House File 659, as follows:

1. Page 1, by striking line 5 and inserting in lieu thereof the following: "is amended to read as follows:

7. The treasurer of state, before making the allotments provided in this section, shall credit annually to the primary road fund from the road use tax fund the sum of seven million one hundred thousand dollars. However, the treasurer of state shall not make any allotments under this section until the interest-free loan to the special railroad facility fund under section 1 of this Act has been repaid in full to the road use tax fund."

SWARTZ of Marshall

RESOLUTION FILED

Resolution filed during the Seventieth General Assembly, 1983 Session, not otherwise printed in the House Journal.

HOUSE CONCURRENT RESOLUTION 3
By Committee on Rules and Administration

Whereas, section two point eleven (2.11) of the Code provides that "The compensation of chaplains, officers and employees of the general assembly shall be fixed by joint action of the house and senate by resolution at the opening of each session, or as soon thereafter as conveniently can be done.", *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the compensation for the following officers for the period commencing January 10, 1983 and ending January 14, 1985, shall be within the following ranges:

Secretary of the Senate and Chief Clerk of the House ..... $24,024 to $40,560

Assistant Secretary of the Senate, Parliamentarian and Assistant Chief Clerk of the House ..... $19,448 to $30,326

Within the indicated ranges the exact compensation shall be set or adjusted for the senate officers by the senate rules and administration committee and for the house officers by the house rules and administration committee. The committees shall report the exact compensation assigned to each position on the next legislative day, or, if such action is during the interim, on the first day the senate or house shall convene. Any action by the senate or house to disapprove or amend the report shall be effective the day after the action.

Be It Further Resolved, That the compensation of the employees of the seventieth general assembly is set, effective from January 10, 1983, until January 14, 1985, in accordance with the following salary schedule:

	#7	#8	#9	#10	#11
	$8,403.20	$8,798.40	$9,152.00	$9,588.80	$10,046.40
	4.04	4.23	4.40	4.61	4.83
	#12	#13	#14	#15	#16
	$10,483.20	$10,982.40	$11,481.60	$11,960.00	$12,480.00
	5.04	5.28	5.52	5.75	6.00
	#17	#18	#19	#20	#21
	$13,000.00	$13,561.60	$14,164.80	$14,851.20	$15,641.60
	6.25	6.52	6.81	7.14	7.52

	#22	#23	#24	#25	#26
	$16,452.80	$17,201.60	$17,929.60	$18,699.20	$19,448.00
	7.91	8.27	8.62	8.99	9.35
	#27	#28	#29	#30	#31
	$20,321.60	$21,216.00	$22,089.60	$22,963.20	$24,024.00
	9.77	10.20	10.62	11.04	11.55
	#32	#33	#34	#35	#36
	$25,084.80	$26,332.80	$27,601.60	$28,912.00	$30,326.40
	12.06	12.66	13.27	13.90	14.58
	#37	#38	#39	#40	#41
	$31,782.40	$33,342.40	$35,006.40	$36,774.40	$38,563.20
	15.28	16.03	16.83	17.68	18.54

In this schedule, each numbered block shall be the yearly and hourly compensation for the pay grade of the number heading the block. Within each grade there shall be six steps numbered "1" through "6". In the above schedule the steps for all grades are determined in the following manner. Each numbered block is counted as the "1" step for that grade. The next higher block is counted as the "2" step; the next higher block is the "3" step; the next higher block is the "4" step; the

Page 3

next higher block is the "5" step; the next higher block is the "6" step.

All employees, other than those designated "part-time" shall be compensated for 40 hours of work in a one-week pay period. Except for the personnel designated to the contrary in this resolution, employees who are required to work in excess of 40 hours in a one-week pay period shall either be compensated at a rate of pay equal to one and one-half times the hourly pay provided in this resolution or allowed compensatory time off at a rate of one and one-half hours for each hour of overtime.

The following personnel shall not be paid an overtime premium:

Secretary of the Senate
Chief Clerk of the House
Assistant Secretary of the Senate
Assistant Chief Clerk of the House
Senate Legal Counsel
House Legal Counsel
Finance Officer
All Administrative Assistants
All Research Analysts
All Secretaries to Senators and Representatives
Public Information Office Director

All Caucus Staff Directors

All employees shall be available to work daily until completion of the senate's and house of representatives' business. The secretary of the senate and chief clerk of the house shall schedule all employees' working hours to, as far as possible, maintain regular working hours.

Be It Further Resolved, That in the event the salary schedule for employees of the State of Iowa as promulgated by the merit employment commission pursuant to section nineteen A point nine (19A.9), subsection two (2), Code 1983, is revised upward at any time during the seventieth general assembly,

Page 4

such revised schedule shall simultaneously be adopted for the compensation of the employees of the seventieth general assembly assigned a grade by this resolution. The pay ranges of those positions specifically listed on page one of this resolution shall be automatically adjusted to reflect any cost of living increases granted to those employees not included in the collective bargaining agreement made final under Chapter Twenty (20) of the Code.

Be It Further Resolved, That the employees of the seventieth general assembly be placed in the following pay grades:

EMPLOYEES OF THE HOUSE

Legal Counsel II ..... Grade 33
Legal Counsel I ..... Grade 29
Executive Secretary to Speaker ..... Grade 23
Caucus Staff Director and/or
Leader's Administrative Assistant ..... Grade 26 to Grade 31
Research Analyst ..... Grade 24 to Grade 28
Executive Secretary to Chief Clerk ..... Grade 23
Clerk to Chief Clerk ..... Grade 15
Public Information Office Director ..... Grade 26 to Grade 30
Assistant to Public Information
Office Director ..... Grade 18
Supervisor of Secretaries ..... Grade 20
Journal Editor ..... Grade 22 to Grade 24
Assistant Journal Editor ..... Grade 18 to Grade 20
Compositor ..... Grade 16 to Grade 18
Finance Officer ..... Grade 22 to Grade 27
Assistant Finance Officer ..... Grade 17 to Grade 20
Recording Clerk ..... Grade 20
Assistant Legal Counsel ..... Grade 23
Assistant to the Legal Counsel and
Engrossing/Enrolling Clerk ..... Grade 21
Assistant to the Legal Counsel ..... Grade 21
Caucus Secretary I ..... Grade 13

Page 5

1	Caucus Secretary II	Grade 15
2	Chief Indexer	Grade 19
3	Indexing Assistant	Grade 17
4	Supply Clerk	Grade 15
5	Swing Clerk	Grade 15
6	Switchboard Operator	Grade 13
7	Secretary I	Grade 13
8	Secretary 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.
25		
26	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 31
31	Research Analyst	Grade 24 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

Page 6

1	Compositor	Grade 16 to Grade 18
2	Assistant Legal Counsel	Grade 23
3	Assistant to the Legal Counsel	Grade 17
4	Finance Officer	Grade 22 to Grade 27
5	Assistant Finance Officer	Grade 17 to Grade 20
6	Recording Clerk	Grade 20
7	Caucus Secretary I	Grade 13
8	Caucus Secretary II	Grade 15
9	Chief Indexer	Grade 19
10	Indexing Assistant	Grade 17
11	Records and Supply Clerk	Grade 19

Switchboard Operator ..... Grade 13
Secretary I ..... Grade 13
Secretary II ..... Grade 15
Administrative Assistant I ..... Grade 13
Administrative Assistant II ..... Grade 15
Bill Clerk ..... Grade 13
Assistant Bill Clerk ..... Grade 12
Postmaster ..... Grade 10
Sergeant-at-Arms ..... Grade 15
Assistant Sergeant-at-Arms ..... Grade 13
Chief Doorkeeper ..... Grade 10
Doorkeepers ..... Grade 9
Porter ..... Grade 8 or minimum wage, whichever is greater
Pages ..... Minimum Wage

Be It Further Resolved, That there shall be four classes of appointments as employees of the general assembly:

A "permanent full-time" or "permanent part-time" employee is one who is employed the year around and eligible to receive state benefits.

An "exempt full-time" employee is one who is employed for the period of the sessions with extensions post-session and pre-session as scheduled. This class is eligible to receive

Page 7

state benefits with the cost of benefits to the state to be paid by the employee when not on the payroll.

A "session-only" employee is one who is employed for only a portion of the year, usually the legislative session. This class is not eligible for state benefits, except IPERS.

A "part-time" employee is one who is employed to work less than 40 hours per week. This class is not eligible for state benefits, except IPERS if eligible.

Be It Further Resolved, That the exact grade for each position to which a range of grades is assigned by this resolution shall be set or changed for senate employees by the senate rules and administration committee and for the house employees by the house rules and administration committee. The committees shall base the assignment upon the following factors:

1. The extent of formal education required of the position; and,

2. The extent of the responsibilities to be assigned to the position; and,

3. The amount of supervision placed over the position; and,

4. The number of persons the position is assigned to supervise and skill and responsibilities of those positions supervised.

The committees shall report the exact grades assigned to each position on the next legislative day, or, if such action is during the interim, on the first day the senate or house shall convene. Any action by the senate or house to disapprove a report or a portion of a report shall be effective the day after the action.

Be It Further Resolved, That a senator or representative may employ a Secretary I or Secretary II who shall perform such clerical duties as the senator or representative shall designate under the administrative direction, as appropriate, of the secretary of the senate or the chief clerk of the

Page 8

house.

Each standing committee chairperson and each appropriations subcommittee chairperson shall designate a secretary of at least the Secretary II level to be the Secretary to the Committee. Such Secretary shall prepare committee minutes, committee reports, type committee correspondence, maintain committee records, and otherwise assist the committee. Such duties shall be performed in accordance with standards which shall be provided by the secretary of the senate and chief clerk of the house. The chairperson of a senate committee may designate any Secretary II to be the committee secretary. The chairperson of a house committee may designate any Secretary II to be the committee secretary. In making the designation, chairpersons shall consider persons for possible designation as the secretary to the committee in the following order:

First: The secretary to the chairperson.

Second: The secretary to the committee's vice-chairperson.

Third: The secretary to any other member of the committee.

Fourth: The secretary to any other member in the same house as the committee.

A Secretary II is a person who has been certified by Merit Employment as having passed a typing performance examination of at least 40 words per minute, and a stenographic performance examination of 80 words per minute using either manual or machine dictation which will be transcribed with 80% accuracy.

A Secretary I is a person who in the judgment of the senator or representative employing such person possesses the necessary skills to perform the duties such senator or representative shall designate.

Be It Further Resolved, That as an alternative to each senator and representative having a secretary, senators and representatives may hire an administrative assistant I or II as provided by this paragraph. Senators and representatives may employ an assistant only if two or more senators or two

Page 9

or more representatives or two or more senators and representatives agree to jointly employ a secretary or secretaries and the assistant in a total number not greater than the senators and representatives participating in the joint hiring. Without an agreement between the hiring senators or representatives to the contrary, the secretary or secretaries and the assistant shall each devote their time equally to each of the persons for whom they work.

An Administrative Assistant II is a person who has participated in two years of education beyond high school or the equivalent experience, demonstrates a comprehensive knowledge of the legislative process and the capability of properly using the English language in research papers.

An Administrative Assistant I is a person who in the judgment of the senators or representatives employing such person, possesses the necessary skills to perform the duties such senators or representatives shall designate.

Be It Further Resolved, That a Legal Counsel II shall be a person who has graduated from an accredited school of law and is admitted to practice in Iowa as an Attorney and Counselor at Law and possesses either a Masters of Law degree or has at least two years of legal experience after admission to practice.

A Legal Counsel I shall be a person who has graduated from an accredited school of law and is admitted to practice in Iowa as an Attorney and Counselor at Law.

Be It Further Resolved, That part-time employees shall be compensated at the scheduled hourly rate for their pay grade and step. While assisting interim committees they shall be compensated at the scheduled hourly rate in grade 16.

Be It Further Resolved, That employees of the general assembly shall be eligible for mobility within pay steps — at the discretion of the chief clerk of the house and the secretary of the senate, and subject to the approval of the house committee on rules and administration or the senate

Page 10

committee on rules and administration, as the case may be — in accord with the following schedule:

(1) Progression from step "1" to "2" — six months of actual employment.

(2) Progression from step "2" to "3", and step "3" to "4", and step "4" to "5" — twelve months of actual employment.

(3) Progression from step "5" to "6" — twenty-four months of actual employment.

Be It Further Resolved, that in addition to the steps provided in the preceding paragraph, that secretaries to senators and representatives shall be eligible for additional

steps as provided in this paragraph. At the discretion of the secretary of the senate and chief clerk of the house and subject to the approval of the senate committee on rules and administration or the house committee on rules and administration, as appropriate, secretaries may be granted additional steps in accord with the following schedule:

1. One additional step for a secretary to a standing committee, ethics committee or appropriations subcommittee chairperson who is not the designated committee secretary.

2. One additional step for a secretary to a vice-chairperson or ranking member of a standing committee.

3. Two additional steps for a designated secretary to a standing or ethics committee or appropriations subcommittee or assistant floor leader or speaker pro tempore or president pro tempore, or secretary to the majority or minority caucus staffs and one additional step for each such position held beyond the first position.

4. Three additional steps for a secretary to a majority or minority floor leader. Except as provided in subparagraph three (3), steps may be granted only under one of the subparagraphs and only once within each subparagraph and shall not exceed three steps when combined.

5. Two additional steps shall be granted to a secretary to the majority or minority caucus staffs or to a majority

Page 11

or minority floor leader who is designated full-time. These steps are to be granted in addition to the steps in the above subparagraphs.

Be It Further Resolved, That the entrance salary for employees of the general assembly shall be at step 1 in the grade of the position held. Such employee may be hired above the entrance step if possessing outstanding and unusual experience for the position, provided that the entrance is not beyond step 3. Such employee who is hired above the entrance step shall be mobile above that step in the same period of time as other employees in that same step. An officer or employee who is moved to another position may be considered for partial or full credit for their experience in the former position in determining the step in the new grade.

The entry level for the position of research analyst shall be grade 24, step 1, unless extraordinary conditions justify increasing that entry level; however, that entry level may not be increased beyond grade 26, step 1. A research analyst must have shown knowledge of legislative rules and procedures as well as the Code of Iowa to be considered at any grade above a grade 24, step 1.

Be It Further Resolved, That a pay increase for employees of one step within the pay grade for the position may be made

for exceptionally meritorious service in addition to step increases provided for in this resolution, upon recommendation of the secretary of the senate or chief clerk of the house and the approval of the senate committee on rules and administration or the house committee on rules and administration. Exceptionally meritorious service pay increases shall be governed by the following:

a. The employee must have served in the position for at least twelve months;

b. Written justification, setting forth in detail the nature of the exceptionally meritorious service rendered,

Page 12

must be submitted to the senate rules and administration committee or house rules and administration committee and approved in advance of granting the pay increase;

c. No more than one exceptionally meritorious service pay increase may be granted in any twelve month period.

Be It Further Resolved, That the secretary of the senate and chief clerk of the house shall receive applications for employment, arrange for any necessary examinations, contact references and make recommendations for hiring. The senate rules and administration committee and the house rules and administration committee shall both hire officers and employees for their respective bodies and fill any vacancies which may occur, to be effective at such time as they shall set. The committee shall report the names of those it has hired for the positions specified in this resolution or the filling of any vacancies on the next legislative day or, if such action is during the interim, on the first day the senate or house shall convene. Any action by the senate or house to amend or disapprove a report or a portion of a report shall be effective the day after the action.

The chief clerk of the house shall submit to the house committee on rules and administration and the secretary of the senate shall submit to the senate committee on rules and administration the list of names, or amendments thereto, of employee classifications and recommended pay step for each officer and employee. Such list shall include recommendations for the pay step for all employees. Each respective committee shall approve or amend the list of recommended classifications and pay steps and publish said list in the journal. The secretary of the senate and the chief clerk of the house shall set the period of employment of intermittent employees under such direction as the senate rules and administration committee and the house rules and administration committee may provide.

Be It Further Resolved, That permanent employees of the general assembly shall receive vacation allowances, sick

Page 13

leave, health and accident insurance, life insurance, and disability income insurance as are provided for full-time permanent state employees. The computations shall be maintained by the finance officers in each house and coordinated with the state comptroller.

Be It Further Resolved, That should any employee have a grievance concerning their compensation, hours of work, performance of work, or other matter, the grievance shall be resolved as provided in this paragraph or by procedures determined by the senate rules and administration committee or the house rules and administration committee.

The grievance shall first be brought to the attention of the secretary of the senate or chief clerk of the house. The procedure may be informal and oral except that the secretary or chief clerk shall give his or her final conclusion in writing.

An employee may appeal in writing an adverse ruling of the secretary or chief clerk to the Senate Rules and Administration Committee or the House Rules and Administration Committee which shall consider the grievance. The committee's consideration shall be informal except that accurate minutes shall be kept and the final conclusion shall be in writing.

Any employee having a grievance shall have access to all relevant house or senate records, may have the assistance of counsel, and, if the grievance involves a disciplinary action, shall have a written statement of the grounds for the disciplinary action.

Be It Further Resolved, That the compensation of chaplains officiating at the opening of the daily sessions of the house of representatives and the senate of the seventieth general assembly be fixed at ten (10) dollars for each house of the general assembly, and that mileage for chaplains be fixed at the rate of twenty (20) cents per mile to and from the State Capitol. The secretary to the senator or representative who is the chairman of the chaplain's committee shall be

Page 14

granted one pay step in addition to the step for which that secretary is otherwise qualified.

SUPPLEMENT TO THE HOUSE JOURNAL

BILLS APPROVED, VETOED OR ITEM VETOED SUBSEQUENT TO ADJOURNMENT

The following is a record of the action of the Governor on bills passed by the 1983 Regular Session of the Seventieth General Assembly and which action was had subsequent to the date of final adjournment:

H.F. 42— Relating to the residence qualification for election to the office of levee or drainage district trustee. Approved May 31, 1983.

H.F. 69— Relating to the refund of state sales, services, and use tax paid by contractors upon goods, wares, or merchandise or from services rendered, furnished, or performed to a contractor used in the performance of a contract for the state, a political subdivision, or an instrumentality of the state or a political subdivision, and making the bill retroactive. Approved May 31, 1983, retroactive to November 1, 1982.

H.F. 176— Providing that a political party or candidate committee or party organization is a qualified organization for the purpose of conducting games of skill, games of chance, and raffles and providing that a political party or party organization may contract with another qualified organization to conduct the games of skill, games of chance, or raffles. Approved May 31, 1983.

H.F. 241— Relating to the mobile home reduced tax rate and property tax credit and rent reimbursement for elderly and disabled persons and making certain provisions retroactive. Approved June 9, 1983.

H.F. 312— Relating to public utilities and providing civil penalties. Approved May 17, 1983.

H.F. 313— Establishing as the policy of the state that employees shall be paid at a rate based on comparable worth, providing for a study, and delaying the implementation of the policy. Approved May 31, 1983.

H.F. 343— Authorizing the conservation commission to protect and manage wild game and nongame mammals, birds, reptiles, amphibians, and fish. Approved June 2, 1983.

H.F. 514— Amending the Iowa Uniform Securities Act, and providing a civil penalty. Approved June 2, 1983.

H.F. 532— To provide for the establishment of programs relating to science, mathematics, and foreign languages, and to make an appropriation. Approved June 8, 1983.

H.F. 562— Relating to funds available to school districts. Approved June 8, 1983.

H.F. 574— Relating to filing of an application for an exemption from the property tax for pollution-control equipment. Approved May 24, 1983.

H.F. 581— Relating to the penalties for the crime of theft. Approved May 24, 1983.

H.F. 613— Relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984. Approved June 13, 1983 with the exception of Section 12. See Governor's item veto message.

H.F. 617— Relating to reporting and investigation of exposure to chemical defoliants, herbicides, or other causative agents, including but not limited to agent orange and making an appropriation. Approved May 24, 1983.

H.F. 621— Removing the aggregate taxable values of real estate in a school district from a county assessor's annual abstract of real and personal property. Approved May 24, 1983.

H.F. 622— Relating to the prepayment of special assessment installments. Approved May 23, 1983.

H.F. 623— To establish an Iowa industrial new jobs training program. Approved May 27, 1983.

H.F. 626— Relating to penalties for violations of the motor fuel tax, state individual withholding tax, corporate income tax, sales and use tax, and additional property tax relief for elderly and disabled tax laws. Approved May 31, 1983.

H.F. 627— Relating to and making appropriations to various executive, legislative and judicial departments and agencies and making coordinating amendments to the Code. Approved June 7, 1983.

H.F. 630— Relating to the refund of prorate registration fees. Approved May 31, 1983.

H.F. 631— Relating to property tax exemptions in an urban revitalization area. Approved May 31, 1983.

H.F. 634— Relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty, and providing that revenue generated shall be distributed to the general fund. Disapproved June 2, 1983. See Governor's veto message.

H.F. 635— Relating to the state inheritance tax by eliminating the preliminary inheritance tax return, specifying the value to use in computing the tax, providing for inheritance tax receipts and collection of the tax, including penalties and interest and making coordinating amendments. Approved June 6, 1983.

H.F. 636— To allow the state department of transportation to issue until June 30, 1986, annual special permits for the operation of compacted rubbish vehicles and vehicles which transport compacted rubbish from the point of collection to a landfill area, which vehicles have a rear axle gross weight for two-axle vehicles not exceeding twenty-two thousand pounds. Approved May 24, 1983.

H.F. 637— Relating to the computation of employer contribution rates and employee benefits under Iowa's unemployment law, to certain employer account charges, to certain benefit disqualification and reduction procedures, to certain administrative procedures, and to changes in Iowa's unemployment law to conform with federal law. Approved June 12, 1983.

H.F. 638— 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management. Approved June 9, 1983 with the exception of Section 9, subsections 3 and 7. See Governor's item veto message.

H.F. 640— Providing for the filing of a claim for a property tax exemption by certain nonprofit organizations only once without refiling a claim in subsequent years so long as the ownership of the property or use of the property remains unchanged, subject to a penalty provided by law. Approved June 6, 1983.

H.F. 641— Relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984. Approved June 8, 1983.

H.F. 643— Relating to the payment of principal and interest on public bonds by providing for a mandatory levy of taxes and the determination of certain interest rates. Approved June 2, 1983.

H.F. 644— Relating to the principal, interest and earnings on the special fund created for the bequest of Glenn Grover Herrick. Approved June 6, 1983.

H.F. 645— Making an appropriation to the Iowa merit employment department to conduct a study of merit compensation rates based on comparable worth. Approved May 31, 1983.

H.F. 646— Relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds. Approved June 10, 1983.

H.F. 650— To allow certain nonprofit corporations owning property in this state an extension of time to file for exemption from property taxes for a designated tax year. Approved June 7, 1983.

H.F. 652— Relating to the penalties for certain crimes including crimes for which the penalty is an aggravated misdemeanor and the crime of false use of a financial instrument and providing penalties. Approved June 7, 1983.

S.F. 10— Relating to compensation for solemnizing a marriage. Approved May 26, 1983.

S.F. 14— To exempt the state, its agencies, and political subdivisions of the state from the tax on motor fuel where the motor fuel is used for a public purpose and delivered into storage tanks owned or used exclusively by the state, its agencies, or a political subdivision of the state. Approved May 26, 1983.

S.F. 23— Relating to the payment of property taxes by a taxpayer. Approved May 19, 1983.

S.F. 56— Relating to the calculation of the sales, services, and use tax on transactions involving the trade-in of tangible personal property. Approved May 27, 1983.

S.F. 73— Requiring the Iowa beer and liquor control department to hold a local public hearing when a state liquor store is established or discontinued. Approved May 27, 1983.

S.F. 92— To permit pari-mutuel betting in Iowa, by creating a state racing commission and prescribing its powers and duties, providing for licensing of certain organizations for the purpose of conducting horse and dog races and racing meets, imposing taxes and fees and providing for their use and disbursement, and declaring certain acts to be unlawful and prescribing penalties for the commission of the acts. Approved June 10, 1983.

S.F. 178— Relating to the inclusion of optometric services in health insurance policies or contracts if the vision care services or procedures are covered when performed by other health care providers. Approved June 1, 1983.

S.F. 221— Relating to treatment of animals by persons licensed or registered under Chapter 162 with penalties of license or registration suspension or revocation. Approved May 26, 1983.

S.F. 302— Relating to the reduction of sentences of inmates committed to the custody of the director of the division of adult corrections of the department of social services. Approved May 25, 1983.

S.F. 310— Relating to the limitation on state bank investments in certain bonds or notes issued by the Iowa family farm development authority. Approved May 26, 1983.

S.F. 314— Relating to an exemption from the state sales, services, and use taxes for sales by trade shops to printers of lithographic-offset plates, photoengraved plates, engravings, negatives, color separations, typesetting, the end products of image modulation or any base materials used as carriers for light-sensitive emulsions, limiting the amount of refunds allowable under this Act, and making it retroactive. Approved May 18, 1983.

S.F. 325— Relating to the service of notices terminating real estate tenancies. Approved May 26, 1983.

S.F. 336— Regulating the activities of loan brokers and providing penalties. Approved May 25, 1983.

S.F. 354— To eliminate the use of documentary stamps as evidence that the real estate transfer tax has been paid. Approved May 24, 1983.

S.F. 355— Relating to procedures, forms, and fees for permits and conditional permits issued by the department of water, air and waste management. Approved May 24, 1983.

S.F. 356— Creating the Iowa department of public broadcasting and prescribing its powers and duties. Approved May 16, 1983.

S.F. 368— Relating to the powers and duties of the department of water, air and waste management. Approved May 24, 1983.

S.F. 370— Relating to awards for punitive damages against officers and employees of governmental subdivisions. Approved May 19, 1983.

S.F. 380— To encourage economic development by providing incentives for certain energy producing facilities and research and development activities. Approved June 6, 1983.

S.F. 386— Relating to taxation by updating references to the Internal Revenue Code for individual and corporate income tax, franchise tax and inheritance tax, providing for an increase in the minimum tax, increasing the individual income tax credit for child and dependent care expenses, providing an income tax credit for an increase in qualified research expenditures in this state, providing a temporary provision on unemployment compensation, and making the Act retroactive. Approved June 6, 1983.

S.F. 399— Relating to the status of the criminal and juvenile justice planning agency and its reporting procedures. Approved May 25, 1983.

S.F. 435— Regulating fees and filing requirements of business entities. Approved May 25, 1983.

S.F. 448— Relating to the issuance, termination, and requirements for teachers' contracts. Disapproved May 27, 1983. See Governor's veto message.

S.F. 457— Relating to the campaign finance disclosure commission. Approved May 24, 1983.

S.F. 461— To establish a tax study committee to conduct a study of the tax structure in this state and making an appropriation. Approved June 1, 1983.

S.F. 471— Requiring the comptroller to adopt rules specifying the form and contents for invoices submitted by vendors to the state. Approved May 25, 1983.

S.F. 493— Relating to the motor vehicle code by providing a rebuttable presumption of residency, by increasing the penalty for improper use of a registration card, registration plate, special plate, or permit, by requiring a motor vehicle overtaking another vehicle on the left to return to the right-hand portion of the roadway before coming within three hundred feet of an approaching vehicle, by prohibiting the operation of motor vehicles with excessively dark windshields or windows, by clarifying certain language and eliminating certain inconsistent language in the motor vehicle code, by increasing the ability of an officer to issue a uniform citation and complaint, and providing a penalty. Approved May 16, 1983.

S.F. 495— Relating to the organization, administration, supervision and funding of the courts, including a recodification of court statutes, and providing penalties. Approved June 9, 1983.

S.F. 496— Relating to the promotion of the sexual exploitation of children and providing penalties. Approved June 1, 1983.

S.F. 524— Relating to the computation of net income for purposes of the state individual and corporate income tax by providing an additional business deduction for wages paid or accrued for work done in the state by certain individuals. Approved June 3, 1983.

S.F. 527— Relating to the impact of state legislative and administrative actions by requiring fiscal notes on bills, joint resolutions, and administrative rules, by providing for the payment of interest on unpaid claims against the state treasury, by requiring notice of proposed rules. Approved May 25, 1983.

S.F. 530— Relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions. Approved June 2, 1983 with the exception of Section 2, subsections 1 and 16. See Governor's item veto message.

S.F. 531— Relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety, and public defense and providing for the maintenance of the fiscal stability of certain state and local agencies by providing conditions by which they may be held liable for damages. Approved June 3, 1983 with the exception of Section 33. See Governor's item veto message.

S.F. 532— Relating to the administration and financing of correctional and mental health programs under the jurisdiction of the department of social services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984. Approved June 9, 1983 with the exception of Section 3. See Governor's item veto message.

S.F. 533— Relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state. Approved June 3, 1983 with the exception of Section 6 and Section 8, subsection 12, paragraph a. See Governor's item veto message.

S.F. 537— To provide a property tax levy for equipment replacement for area schools. Approved June 6, 1983.

S.F. 538— Prohibiting sales and use tax refunds or claims for taxes voluntarily paid based upon an alleged mistake of law under the laws or Constitution of the United States or the Constitution of the State of Iowa and making the Act retroactive. Approved May 19, 1983.

S.F. 540— Relating to state payments by providing for payments in each fiscal year of homestead tax credits, extraordinary tax credits, mobile home tax credits, agricultural land tax credits, livestock tax credits, military tax credits, and personal property tax credits to the respective county treasurers by the state comptroller, by providing for obligation of state funds for goods and services delivered only during the fiscal year with certain exceptions, and by providing for monthly payments of funds to school districts under Chapter 442. Approved May 27, 1983.

S.F. 541— Relating to the codified provisions of the department of social services for the medical assistance program; the child day care facility program; the aid to dependent children program; the child support and foster care recovery programs, including provisions relating to support recoveries for persons who are not public assistance recipients; the state supplementary assistance program; and the dependent adult abuse program. Approved May 26, 1983.

S.F. 543— Relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps decreasing the percent that cigarettes are required to be marked up, and computing the markup on only one-half of the cigarette tax. Approved June 1, 1983.

S.F. 544— Relating to the fees charged to grain dealers and grain warehouse operators by the commerce commission under Chapters 542 and 543. Approved June 3, 1983.

S.F. 545— Relating to registration, elections and the Iowa election campaign fund. Approved June 3, 1983.

S.F. 546— Relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the federal fiscal year beginning October 1, 1982 and ending September 30, 1983. Approved May 17, 1983.

S.F. 547— Providing for the period in which to claim a refund for taxes paid on a lump sum distribution. Approved May 19, 1983.

S.F. 548— For the purpose of improving the Iowa economy and providing improved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs for certain local governments and in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa development commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and water conservation practices, authorizing the Iowa department of transportation to issue and become obligated for road use tax revenue bonds, establishing a job training partnership program, providing for the establishment of a corporation by the Iowa development commission which will organize and manage an investment fund which will invest in Iowa enterprises and allowing a state income tax credit on the net investment in the fund, establishing a program to aid communities in developing festivals and other tourist attractions, and making various appropriations to carry out the programs. Approved June 12, 1983 with the exception of Section 1, Divisions III and IV and Section 41, Division X. See Governor's item veto message.

S.F. 549— Relating to court structure and procedures by appropriating for certain court costs, by increasing certain filing fees, by adding one member to the Court of Appeals, by allowing a division of the Court of Appeals to hear cases and petitions, by increasing the fee for filing and docketing a simple misdemeanor, and by appropriating funds for designated legal assistance services, for dispute resolution centers and for additional judicial salaries and support. Approved June 9, 1983.

S.F. 550— Relating to determining the cost of certain state publications. Approved June 6, 1983.

S.F. 551— Relating to and making appropriations to state agencies relating to and for capital projects and certain nonrecurring expenses. Approved June 2, 1983 with the exception of Section 12, subsection 1, paragraphs i and j, and Section 19. See Governor's item veto message.

S.F. 552— Relating to the date of precinct caucuses of the political parties. Approved May 24, 1983.

S.F. 553— Specifying who may solemnize a marriage. Approved May 27, 1983.

S.F. 556— Appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants. Approved May 31, 1983.

GOVERNOR'S VETO MESSAGES

June 2, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I am enclosing House File 634, an act relating to lotteries by providing for a state lottery, a state lottery board and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, and providing a penalty, and providing that revenue generated shall be distributed to the general fund, 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 would establish a lottery to be operated by a state lottery agency. A five-member lottery board would be established to oversee the operation which is directed to "produce the maximum amount of net revenues for the state in a manner which maintains the dignity of the state and the general welfare of the people." The board is given the powers needed to establish a lottery, license ticket sellers, promote ticket sales and establish any kind of lottery game except for a video lottery which is prohibited.

The public policy impacts of this bill are profound. For the first time, the state of Iowa would be placed directly in the gambling business and the state would be allowed to promote and to reap the profits of that gambling. The bill would set up a new state agency with enormous powers to directly affect the quality of life in the state. And, the bill could impact on the spending decisions of hundreds of thousands of Iowans.

I find it unfortunate that legislation of such magnitude was passed with not a vote to spare during the closing hours of the session when the merits of individual pieces of legislation are often lost in the desire to pass unrelated legislation and the urge to adjourn. Nevertheless, I have reviewed this legislation deliberately and I have attempted to thoroughly consider the views of the hundreds of Iowans who have contacted me on this important issue. After careful study, I have reached the conclusion to disapprove this legislation.

My decision is based on the following concerns:

1) I am concerned about the long term fiscal impact of House File 634. Proponents of the lottery claim that every man, woman and child in Iowa would spend at least $40.50 per year on lottery tickets. That would raise $118 million in gross revenues and, assuming a 40 percent net return to the state, would yield the state $47 million in revenues. Moreover, proponents point to lottery experiences in Colorado and Arizona and claim that an application of those experiences in Iowa would result in $45 to $50 million in net revenues for the state.

I seriously doubt the accuracy of such revenue forecasts. The success of a lottery is apparently quite dependent upon the degree of urbanization in a lottery state. The states with the most successful lotteries have at least 70 percent of their population living in urban areas. Moreover, Arizona and Colorado, which are often used to project Iowa's lottery income, have the great bulk of their population living in a few highly urbanized areas. Highly urbanized areas ease lottery marketing problems and have led to relatively profitable systems.

However, only slightly over one-half of Iowa's population lives in towns of 5,000 or more. Our largest city is but a fraction of the size of Phoenix and Denver and our population is spread relatively evenly throughout our state. This low level of urbanization in Iowa causes me to seriously question the accuracy of revenue projections of those touting lotteries in Iowa.

I also find it difficult to believe that effectively all 2.9 million Iowans would spend at least $40.50 on lottery tickets in the state. In fact, a review of the per capita revenue for 1981 in less urbanized lottery states shows actual per capita revenue of between $4.50 and $12 per year. Indeed, lottery revenue estimates from those who are not proponents of this bill have yielded estimates that are as low as $6 million per year.

In addition to these doubts about the initial year revenues of a state lottery, I am also concerned about the level of projected out-year revenue estimates for a lottery. Initial interest and novelty often provide greater revenues in the first year or two and could create misleading expectations about future revenues. In fact, most states have experienced a drop in gross lottery revenues after the first or second year. Even the Arizona game, touted for its success, experienced a reduction in participation after the initial surge.

Nevertheless, lottery proponents point to the recent revenue increases experienced in a number of states as a sign that lotteries can be regenerated over time. Indeed, some states, including Illinois, have experienced a significant increase in lottery revenues. However, a closer look at the system in these states reveals the reason for the increased activity — stepped-up state marketing efforts. These states have emphasized huge jackpots, introduced instant games and the number game, and developed more sophisticated marketing techniques, including the advertising of big winners to lure participants. In addition, according to the National Council on Compulsive Gambling, lottery receipts and other gambling revenues tend to go up as the economy gets worse. The slumping economy of the last three years has thus fed state lottery coffers.

In sum, there is reason to seriously question the Iowa lottery revenue estimates made by lottery proponents to lure this state into the gambling business. The initial revenues are likely to be less than anticipated and future year revenue is even more likely to fall off unless an expanded state marketing effort and a sour economy drive more people to the ticket counter.

And therein lies my most serious objection to an Iowa state lottery. An Iowa lottery would effectively get state government hooked on gambling. The scenario would run something like this: the legislature would use the optimistic revenue estimates provided by lottery proponents; new programs would be started or existing programs would be funded with the anticipated lottery dollars and a higher level of state spending could result; lottery revenues would not meet expectations and a serious fiscal crisis would ensue.

The state would be faced with three options: 1) cut spending to match actual revenues; 2) raise other taxes to meet the budget needs; or 3) step up marketing efforts with massive promotions to drum up greater lottery participation. Since it is human nature to take the path of least resistance, the legislature would likely opt for gambling promotional blitz. And the state's fiscal gambling addiction would be complete.

I am reluctant to begin that fiscal addiction by approving this bill. I do not want government programs maintained by stimulating the urge some Iowans may have to gamble. I do not want government to feed its fiscal urges by resorting to deceptive advertising and gimmickry. In short, I fear that the noble goal of this legislation — to maximize revenues while maintaining the dignity and general welfare of the people of the state — would become little more than a mutually exclusive proposition.

2) A lottery would have little, if any, positive economic impact in the state. Certainly, it would boost the advertising business and increase the size of the state payroll. However, every dollar spent on a lottery will be one less dollar spent in the private sector economy of this state. Other recreational industry in the state would certainly suffer. Even businesses that sell nondiscretionary goods would feel some impact, particularly if the projections for massive participation hold true.

With the state's economy only now just beginning to rebound, we cannot afford to be nudged backward by a lottery which would stimulate only greater government spending.

Some have posed the question: If pari-mutuel is acceptable, why not a lottery? The reason is economics. Pari-mutuel would stimulate private sector economic activity in the horse industry, hotels, motels, restaurants and racing industry. Moreover, it would bring dollars back into Iowa that are now going to some of our neighboring states. The government would regulate pari-mutuel to ensure its integrity, but it would not operate, promote or directly profit from its success. In short, pari-mutuel will aid in Iowa's economic development; a lottery will allow the government to sap our state's economic strength.

3) Finally, I am philosophically opposed to allowing the state to enter the gambling business. Our state has prided itself on its honest, open and clean government. And that fact has given us effective government, government that the people of Iowa can trust and respect. I fear that involving the government in promoting and profiting from gambling activities that do not have general legal or moral sanction could reduce the strength and effectiveness of our state government. Moreover, the high probability that the state would be forced to engage in deceptive advertising and gambling gimmickry in order to bolster revenues would tarnish the image of the state in the eyes of many Iowans.

Article I, Section 2 of the Iowa Constitution states that, "Government is instituted for the protection, security, and benefit of the people,. . . " As part of that philosophy, the Constitution originally prohibited a state lottery. That made sense in 1857 and it makes sense today. State government should protect, not entice; it should secure, not seduce; it should benefit, not deceive the people of Iowa. Therefore, for the fiscal, economic and philosophical reasons stated above, I hereby respectfully disapprove this House File 634.

Very truly yours,
Terry E. Branstad
Governor

May 27, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I am enclosing Senate File 448, an act relating to the issuance, termination, and requirements for teachers' contracts. In accordance with Article III, Section 16, Constitution of the State of Iowa, I hereby disapprove and transmit to the Secretary of State.

Senate File 448 provides for a number of significant statutory changes in the teacher termination procedures outlined in Chapter 279 of the Code of Iowa. Those changes include:

- elimination of the current provisions which authorize the school superintendent to recommend a teacher termination and the school board to act as the initial hearing panel and trier of fact if the proposed termination is appealed by the teacher. Instead, the bill requires the board and the superintendent to jointly recommend termination. The teacher can request a private meeting with the board to review the reasons for the proposed termination. However, a private hearing officer is substituted for the board as the initial hearing panel and trier of fact if the termination notice is appealed.

- limiting the scope of judicial review of a hearing officer's decision to whether or not the decision is supported by the "substantial" evidence in the record made before the hearing officer. The present law, for the most part, limits judicial review to the "preponderance" of evidence in the record made before the board.

- requiring that the board be required to prove just cause "limited to the employee's performance of duties performed during the normal work day" in order to have the hearing officer uphold the board's termination decision. (emphasis supplied) Currently, the board is held to a just cause standard without statutory limitation in showing reason for termination.

— requiring the board to approve a leave of absence of a teacher to serve in an elected position. Presently, such leaves of absence are subject to bargaining under Section 20.9 of the Code of Iowa.

Proponents of these changes in the teacher termination law argue that the present law does not allow for impartial hearings for the teacher, results in a termination process that is too costly for the parties involved, and provides for an appeals process which does not resolve the appeal in a timely manner. It is argued that Senate File 448 will allow for impartial, speedy and less costly termination appeals.

However, there is no evidence that locally-elected school boards have shown partiality in handling teacher termination appeals. Indeed, in no case has an Iowa court held that a board lacked impartiality. Rather the Iowa Supreme Court has upheld the law and the board's role as an impartial hearing panel. School board members take their responsibility to act as an impartial hearing panel seriously and abuse of the law has not resulted.

Morever, Senate File 448 could actually increase, not decrease, legal costs for the board and the teacher. It adds legal fees associated with the new pre-hearing conference with the board. In discharge cases involving personnel needs or budgetary requirements with varying fact patterns, Senate File 448 allows a teacher to use both the grievance procedures of a collective bargaining agreement and the teacher procedures outlined in the bill. Thus, legal costs could be doubled. And, finally, the bill gives the hearing officer the authority to hold a second hearing on the implementation of a termination remedy.

All of the foregoing provisions could increase, rather than decrease, legal costs. And, that portion of the bill which could decrease costs — the stricter appeal standard — would serve only to remove more decision-making authority from the board.

Senate File 448 would also do little to expedite the termination process. The present law contains strict timetables for termination hearings and board decisions. These provisions wisely ensure that teachers will have their status for the following school year promptly determined. This bill, however, could protract the proceedings by eliminating the decision deadline following the termination meeting of the board and the setting of a hearing date before the hearing officer. Moreover, the outside adjudicator is given twice as long to reach a decision as under current law. In short, Senate File 448 could extend, rather than shorten, the termination process.

Since Senate File 448 apparently does not address the goals of its proponents — impartiality, cost-savings and timeliness — I must question the need for the bill. Indeed, a study of the notices of recommendations to terminate made in 1980-81 and 1981-82 shows that 84 percent of the teachers did not request a hearing before the board and only 4 percent appealed the board's decision to an outside adjudicator. The current law was crafted as a delicate legislative compromise in 1976. As in all compromises, it includes provisions that school boards find distasteful and other provisions not to the liking of teachers. But it has worked; it is balanced; and it does provide for just cause and due process in teacher termination proceedings. Therefore, I fail to see a demonstrated need for wholesale changes in that law as proposed in this bill.

Moreover, I am concerned that Senate File 448 would have other deleterious effects.

1) It would weaken the authority of the locally-elected school board to make crucial education decisions. Currently, the school board conducts the termination hearing, receives evidence, makes the findings of fact and the decision. The record upon which any subsequent appeal is based is made at the school board hearing. Moreover, the current law gives weight to the fact findings of the board in further legal proceedings.

This bill eliminates the board from this essential fact-finding process and gives that authority to an outside hearing officer who, the law states, does not even have to be experienced in the educational system of this state. Nevertheless, these non-elected hearing officers will be given the authority to act as super school boards, viewing each facet of a given teacher's skill, experience or ability and weighing them against those of other teachers.

In addition, the bill further weakens the board by making it more difficult for the board to appeal the hearing officer's decision. The "substantial" evidence standard for appeal of a hearing officer's decision will adversely affect the board's chances of winning any appeals.

School boards are elected by the people of that school district to make certain that the children of that district receive the best education possible. Reviewing the performance of teachers and passing judgment on their performance is an essential quality control tool. This usurpation of the board's decision-making authority would thus weaken the board's ability to discharge its responsibilities.

2) The bill could adversely affect the delicately balanced collective bargaining process in Iowa. As previously mentioned, the bill allows teachers discharged because of the district's personnel needs or budgetary requirements to appeal that decision through the process outlined in the bill as well as through the collective bargaining grievance procedure. This could unduly burden the collective bargaining grievance process.

Moreover, by requiring the board to grant the teacher a leave of absence to serve an elected position, the collective bargaining balance would be tilted away from the boards. Presently, these leaves are a mandatory subject of bargaining and, indeed, some school districts have negotiated agreements to provide for such leaves of absence tailored to fit the local situation. However, the bargaining process should not be pre-empted by legislative action to the disadvantage of public employers.

In addition, I question the public policy reasons for singling out teachers among all Iowa citizens to receive this special "right to serve" status. No other Iowa worker receives a statutorily-mandated leave of absence from his or her job when elected to public office.

3) I believe Senate File 448 could reduce the quality of education in Iowa. The reason: it would substitute the judgment of a private hearing officer for that of the school board in termination appeals. Private sector interpretations of just cause for termination are historically less strict than

the settled principles for just cause in schools where the courts have held that school districts are "not married to mediocrity". Wedergren v. South Tama Schools, 307 N.W. 2nd 12. I am concerned that an outside hearing officer would be less sensitive to the need for teacher excellence than members of that school board many of whom have children in the school.

In addition, the bill limits the definition of just cause for termination duties performed during the normal work day. While I understand that the proponents of this language apparently intended to prevent the termination of coaches because of losing records, they failed to define "normal work day" in the legislation. Thus, it is clearly open to interpretation and could conceivably prevent the termination of a teacher for illegal and immoral activity engaged in by the teacher during nonwork time.

Teacher termination standards now relate job performance to leadership and role model effectiveness. These high standards are appropriate for those who touch the lives of all young Iowans. I fear that the limitation of just cause to activities performed during the normal school day would erode the present high role model standards which we apply to teachers. As such, the quality of education, and the quality of life in Iowa could suffer.

I commend legislators for taking steps this year to strengthen educational quality in Iowa. Those actions included an innovative program to meet the math/science and foreign language needs of Iowans for this and the 21st century. However, at a time when the need for educational excellence has never been greater, we can not afford to take a step backward by signing into law Senate File 448.

In summary, Senate File 448 does not address the impartiality, timeliness and cost-effectiveness goals of its proponents. In fact, the present law is working quite well and changes are not needed. Instead, this bill would adversely affect the decision-making authority of locally-elected school boards, disrupt the collective bargaining process and reduce the quality of eduction in Iowa.

For the above reasons, I hereby respectfully disapprove Senate File 448.

Very truly yours,
Terry E. Branstad
Governor

GOVERNOR'S ITEM VETO MESSAGES

June 13, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 613, an act relating to the funding of state agencies for designated service programs including health programs, specialized child health service programs, substance abuse programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1983, and ending June 30, 1984.

House File 613 is approved June 13, 1983, with the following exception which I hereby disapprove.

I am unable to approve that portion of Section 12 which reads as follows:

> As a condition of the appropriation under section 4, subsection 6, the state department of health shall relinquish to the family planning council of Iowa through the department of health and human services federal dollars appropriated under Title X of the Public Health Service Act and allocated for Lyon, Sioux, Plymouth, Woodbury, Cherokee, Ida, Delaware, Dubuque, Jackson, Washington, Louisa, Henry, Lee, and Des Moines counties in order to permit established local family planning providers to continue services without state involvement.

Section 12 of House File 613 appropriates federal funds received by several state human services agencies. However, an item in that section would require the Department of Health (DOH) to relinquish administrative control over federal Title X funds used by local family planning agencies in 14 counties of the state. This provision is apparently designed to give the Family Planning Council of Iowa, rather than the DOH, the authority to administer the federal funds to be distributed to local family planning agencies centered in Sioux City, Dubuque and Burlington.

I cannot approve this item in House File 613 because it violates a service contract, and has potentially adverse public policy impacts.

Several years ago the federal government began routing all Title X (family planning) funds through the DOH to provide for statewide oversight and administrative control. However, over time a few local agencies took exception to that administrative oversight and petitioned to be removed from the state family planning program. DOH acceded to those wishes and, in 1980, allowed all local planning agencies to opt out of the state administered program. Indeed, seven local agencies pulled out and formed their own Family Planning Council of Iowa (FPCI) to receive and distribute the federal Title X funds. The remaining 11 local agencies decided to stay with the DOH program. In addition, one year ago DOH renewed its three-year federal contract for this program and again allowed local agencies to leave the state program. However, no local agency opted out at that time.

During this, the first year of that three-year contract, three local agencies decided to seek to join FPCI. Because of the contract commitment, DOH refused. The local agencies petitioned the legislature and obtained passage of the legislative language at issue here.

I cannot approve that language since it does, indeed, renege on a contract commitment made just last year. Twice in the last three years, these local agencies have had an opportunity to opt out of the state program and decided against it. DOH can not adequately administer the Title X program without some continuity of local agency participation and, this legislative language sets a precedent which would allow individual agencies to opt out of the program at whim. Therefore, these agencies should wait until this contract expires in 1985 before attempting to leave the state program.

In addition, the public policy impacts of this proposed change have not been adequately explored. The FPCI tends to concentrate its efforts on urban areas. It serves a lower percentage of the poor (63%) than does the DOH program (80%). And, the DOH integrates a wider array of health services into the statewide program. However, the impact of this proposed pull-out on family planning services in rural areas, the poor, and other important health needs has not been fully assessed. Waiting until the 1985 contract expiration date will allow for that necessary assessment.

Also, the next two years will provide time to fully investigate the administrative complaints lodged against the DOH by these three local family planning agencies. DOH officials argue that federal requirements and public accountability demand the administrative requirements being placed on local agencies. A thorough review of those requirements may be in order. Indeed, I encourage the three agencies to discuss their concerns with DOH so that these problems can be resolved. Since these discussions have yet to take place, this pull-out action is not justified.

In sum, for both contractual and public policy reasons, I must disapprove this item in Section 12 of House File 613.

Section 4 (7) (c) of House File 613 contains a provision requiring counties to contract only with nonprofit organizations to provide homemaker-home health aide services and chore services. Presently, for-profit organizations are allowed to receive such contracts, but only one limited contract with a for-profit organization has been let. Providing health and chore services to the elderly so that they can stay in their homes is a high priority of mine. Therefore, I have carefully reviewed this proposed legislation so as to ensure the highest quality of care for the elderly at the lowest possible price for the taxpayer.

For-profit nursing organizations contend that if they are able to bid for counties' home health aide contracts, the resulting competition will lead to lower-priced home-based services for the elderly. In addition, it is argued that the quality of service will not decline and that the board of supervisors should be given the authority to make home health aide cost and service decisions for the county. I am in philosophical agreement with both the local control and competition arguments made by the for-profit groups. However, I am troubled by evidence of practical problems experienced in some states that have opened up the home-health aide contracts to for-profit organizations. This evidence includes:

- a Health Care Financing Administration study that shows that for-profit providers have a lower cost per service, but a higher cost per case, due to the for-profit providers' higher utilization rates.

- a Kansas experience with a 30-50 per cent second-year cost increase and a reduction in the quality of care due to the loss of continuity in the care given to the elderly person.

- a Missouri report that much greater state control and supervision is needed to ensure the proper quality and continuity of care.

- the impact the loss of the state contract would have on non-profit home health aide organizations which are able to double the impact of the state's home health aide dollar by raising 50 percent of their funding for these services from private sources.

At the present time, there is but one small contract held by a for-profit organization. The language in House File 613 would thus essentially maintain the status quo in the home health aide program. Moreover, it is possible that for-profit organizations will be able to receive subcontracts to perform these services. In view of that fact and the possible cost and quality of care problems associated with an open bidding system, I have decided to allow this portion of House File 613 to become law. However, I encourage legislators to fully debate this issue next session and to attempt to resolve the quality of service problems which may result from open bidding.

For the above reasons, I hereby disapprove the above 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 613 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

June 9, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 638, 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 responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

House File 638 is approved June 9, 1983, with the following exceptions which I hereby disapprove:

I am unable to approve that portion of Section 9, subsection 3, which reads as follows:

> It is the intent of the general assembly that by July 1, 1985 at least fifty percent of the funding of the international offices be supported by sources other than the state.

I am unable to approve the item designated in the Act as Section 9, subsection 7, which reads as follows:

> 7. It is a condition of the funds appropriated by subsection 1 that if the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full, the governor is authorized to and shall revert to the general fund the unobligated and unencumbered balance of the three hundred ninety-six thousand seven hundred nineteen (396,719) dollars appropriated by subsection 1 for advertising to promote tourism and conventions, attendance at travel shows, issuing economic impact reports, printing brochures, hosting writers and agents and for a special research project on high technology before making reductions in allotments as allowed under section 8.31.

I commend legislators for adopting my recommendation to create an Asian Office of the Iowa Development Commission (IDC). The existing European office has helped Iowa become one of the top exporting states in the country and the developing of markets in Asia hold great potential for increased Iowa commodity and manufacturing exports. However, House File 638 also includes legislative intent language stating that at least 50 percent of the funding for both the Asian and European offices come from sources other than state by July 1, 1985. Since the bill also authorizes the IDC to seek voluntary contributions or impose service charges, the apparent intent of this provision is to have the IDC begin imposing fees on the businesses making use of the foreign offices and to require private fundraising efforts to finance the offices. I must disapprove this intent language because it would adversely affect our export marketing efforts.

The IDC has found, as a result of the operation of the European office, that in general small to medium size Iowa businesses derive the most benefit from a foreign office. For example, of the 292 Iowa companies interested in exporting for the first time, 93 percent have less than 100 employees. For the most part, these Iowa companies do not have the necessary expertise to export or negotiate in the international market. A foreign office provides those small businesses with that expertise. In addition, a foreign office can open export doors for Iowa businesses which have no daily contacts with prospective overseas customers.

If more Iowa businesses could augment their sales by entering foreign markets, the state economy would improve and more jobs would be created. According to the U.S. Department of Commerce, over 32,000 Iowa manufacturing jobs are now directly related to exports. And, more export markets means even more Iowa jobs. Thus, maximum use of the foreign offices is in the economic interest of the state of Iowa.

However, many small Iowa companies may not be able to afford to pay fees for the use of foreign offices. Moreover, I fear that many Iowa businesses would view the fees as a disincentive to the use of the offices. Indeed, a recent survey indicated that 81 percent of the Iowa businesses involved or interested in exporting believe that there should be no user fees for foreign office services. That viewpoint is understandable considering the fact that 33 other states and localities provide overseas assistance without charge. In short, a mandatory user fee could reduce the use of the foreign offices by the businesses that need them most. And, that would hamper the job creation and economic development goals of our state.

Apparently, the intent of the bill is also to require a private fundraising effort to finance the foreign office costs. A fundraising effort could severely compromise IDC staff time, particularly during the start-up stage of the Asian office. Fundraising is labor and time intensive and every staff hour used to raise private funding for the office is one hour lost for increasing Iowa's overseas markets. Moreover, this provision sets a bad precedent for the standards to be used to judge the performance of the offices. I fear that success in obtaining private funds, rather than increased foreign market development, would be used as a performance measuring stick for these offices if this legislative intent language is allowed to become law.

Therefore, the provision of House File 638 at issue here could hamper Iowa's export development program by reducing the use of the foreign offices by small businesses while limiting the staff time that can be spent on export development. The provision disapproved here is thus contrary to the legislature's effort to increase foreign markets for Iowa companies by opening a new foreign office. Moreover, it is contrary to the economic development and job creation goals of Iowans.

Section 9, subsection 7, of House File 638 requires the Governor to revert to the general fund the unobligated, unencumbered balance of a portion of the IDC appropriation used for travel, tourism and economic development promotion. This reversion would occur only if the Governor estimated that the fiscal year 1984 budget is out of balance and it is designed to prevent an across-the-board cut.

As I indicated in a message accompanying Senate File 531 which included a similar provision, I understand the legislature's desire to avoid across-the-board budget cuts. I, too, view such a cut as one of the last resorts to balance the state budget. However, I cannot approve this subsection because it does not make good economic, budgetary or administrative sense.

This proposal inappropriately singles out the travel and tourism portion of our economic development effort for budget cuts. Iowa now appropriates fewer state funds to travel and tourism than almost any other state. However, a recent study completed for the IDC shows that Iowa has the potential to attract a significant number of tourism dollars. According to the study, this potential can be realized only by substantially increasing the state's financial commitment to travel and tourism. Indeed, studies show that such a commitment can create jobs in the state more rapidly than almost any other state economic development effort. Therefore, I recommended a substantial increase in state appropriations for this purpose and the legislature wisely approved most of that recommendation.

However, this proposal would place travel and tourism funds first on the budget cutting block. If a budget problem does ensue, this provision would have the state revert its new-found commitment to this growth industry. That would cost Iowa jobs and economic growth and the potential state revenue associated with them.

Moreover, it is unlikely that a $396,719 reversion would prevent an across-the-board cut. That amount represents only .0002 percent of the state budget. A shortfall of that size could, in all probability, be made up in administrative savings without resorting to a Section 8.31 budget reduction.

Section 9, subsection 7, would also be a nightmare to administer. The legislature did not appropriate by line item the funds required to be reverted. Rather, the funds affected by this provision are but a portion of the lump sum, $3,006,382 appropriation made to the IDC. Apparently, legislators selected $396,719 for reversion on the basis of two budget decision packages requested by the department. However, other portions of the approved lump sum appropriation also included similar promotional advertising. And to compound the administrative confusion, a separate accounting system is not established for each decision package — the accounting system can not differentiate among decision packages. Therefore, it would not be administratively possible to separately track and thus revert the $396,719 indicated in House File 638.

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 638 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

June 2, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 530, an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Senate File 530 is approved June 2, 1983, with the following exceptions which I hereby disapprove.

I am unable to approve that portion of Section 2, subsection 1, which reads as follows:

In addition to the funds appropriated in this subsection, there is appropriated for the fiscal year beginning July 1, 1983 to the office of the auditor of state for the purpose of enhancing the internal and management functions of that office, coordinating auditing staff functions, centralizing staff, providing moving expenses and additional funds for salaries, support, maintenance, and miscellaneous purposes, and subject to the condition that the auditor of state's operational staff, equipment, and furnishings be moved from the state capitol building to an appropriate building located within the state capitol complex, and the use of the space vacated in the state capitol building be dedicated to the legislative branch of government, the sum of three hundred seventeen thousand six hundred sixty-three (317,663) dollars, or so much thereof as may be necessary. A ceremonial office for the auditor of state and not more than two staff members shall be established in the state capitol building.

I am unable to approve that portion of Section 2, subsection 3, which reads as follows:

Of the money appropriated in this subsection to the Iowa beer and liquor control department, two hundred eighty-two thousand (282,000) dollars shall be spent on the establishment of six mini-stores and the optical character reader pilot project.

I am unable to approve that portion of Section 2, subsection 16, which reads as follows:

In addition to the funds appropriated in this subsection, there is appropriated for the fiscal year beginning July 1, 1983 to the office of treasurer of state for the purpose of enhancing the internal and management functions of that office, providing adequate work space, providing moving expenses, and additional funds for salaries, support, and miscellaneous purposes, and subject to the condition that the treasurer of state's operational staff, equipment, and furnishings be moved from the state capitol building to an appropriate building located within the state capitol complex, and the use of the space vacated in the state capitol building be dedicated to the legislative branch of government, the sum of ninety-nine thousand eight hundred seventy (99,870) dollars, or so much as may be necessary. A ceremonial office for the treasurer of state and not more than two staff members shall be established in the state capitol building.

Of the money appropriated in this subsection to the treasurer of state, seventeen thousand (17,000) dollars shall be spent on an accounting technician and the leasing of a computer terminal and printer.

Senate File 530 includes a separate provision requiring that $282,000 of the $18.9 million lump sum appropriation to the Beer and Liquor Control Department be spent on the establishment of six mini-stores in the state. The mini-stores would offer a limited selection of only the fastest-moving, high turnover wines and liquor products. They would be patterned after convenience stores in the private sector which is an experimental marketing concept for the state liquor system. The Beer and Liquor Control Department would determine the location of the mini-stores.

I am sensitive to the desire of a number of Iowa communities to secure a state liquor store. In addition, I can understand the desire of some to experiment with a new liquor marketing technique. However, I cannot approve this appropriation item because it breaks new ground in state liquor marketing at a time when the entire system is under serious review.

Specifically, on March 29 of this year I announced the formation of a task force to study Iowa's liquor system. This 14 member, bi-partisan task force is reviewing the entire state-run liquor system so that any changes proposed for the present system be done thoughtfully and carefully. This group will review four key areas of the state system: public health, safety and welfare; economic impact on the state; public convenience; and private sector competition. Since the proposed mini-store concept would directly affect each of the factors listed above, I believe it would be precipitous to approve the mini-store concept before a full analysis of its consequences is completed by the task force. Instead, I will specifically ask the task force to review this concept and include a recommendation on it in the final report to be presented to me on December 31 of this year. As a result, the next session of the legislature will also have an opportunity to review the findings of the task force and to act accordingly.

Two of the above-mentioned provisions in Senate File 530 are designed to force the Auditor's Office and the Treasurer's Office to vacate the Capitol so that the space now occupied by those two offices can be made available to the General Assembly. The Senate amendment to Senate File 530 which attempted to accomplish these purposes made the entire fiscal year 1984 appropriation to the Auditor and Treasurer contingent upon such a move to the Lucas Building, with the space vacated to be given to the legislative department. However, the House struck the Senate language on this move and instead appropriated approximately 20 percent of the recommended funding level for these offices ostensibly for miscellaneous expenses, including moving costs, on the condition that they be moved out of the Capitol to any appropriate building within the Capitol Complex, with the use of the vacated space given to the legislature. That is the language that was finally enacted by the General Assembly.

However, late in the session, in an apparent acknowledgement that the conditional 20 percent appropriation was in reality not designed to pay for the move, the legislature appropriated $125,000 in the capitals bill to both the Treasurer and Auditor to finance the move. Thus, the legislative history of this proposal clearly indicates that the General Assembly decided to hold hostage 20 percent of the funds needed to operate the Auditor and Treasurer's Offices in order to force them to vacate the Capitol Building so that the legislature could occupy the vacated space.

Despite this threat of a cut in appropriations, both the Treasurer and Auditor have asked me to item-veto it. While I understand the legislative branch's desire for additional space, I must agree with this request for several reasons.

1) The unilateral legislative effort to secure additional space infringes on the delicate balance among the three branches of state government in Iowa. This balance among the executive, legislative and judicial branches of government has been symbolized by the Capitol, which since its dedication in 1884 has been the home of all three branches of government in Iowa. Indeed, changes in Capitol space allocation among the branches have historically been made cooperatively. The most recent change occurred in 1978 when a committee representing all branches of government jointly agreed on a revised space allocation plan. This revised plan gave the legislature two additional committee meeting rooms on the first floor of the Capitol. The agreement further recognized that adequate space within the Capitol remained a problem and the participants were urged to work together to make any further space adjustments that might become necessary.

This unilateral legislative effort to secure additional space violates the spirit of the 1978 space allocation plan. Neither the Treasurer nor the Auditor was consulted prior to this legislative action and no effort was made to resolve differences between the executive and legislative branches on this issue prior to the passage of the legislation.

Moreover, the method used by the legislature to attempt to accomplish this move — threatening a 20 percent cut in operational budgets for these offices — is inappropriate. Such an appropriation reduction could severely hamstring the operations of these two offices and could prevent them from discharging their important executive responsibilities. Certainly, this space allocation issue could have been resolved without resorting to threats to hamper executive branch operations.

2) The proposed legislative takeover of the entire Capitol space now occupied by the Auditor and the Treasurer would be an inefficient use of the Capitol. Legislative leaders have indicated to me that they would plan to make the vacated space into legislative committee rooms. If the legislature maintains the present limitation on the length of sessions, this proposed use would result in vast portions of the Capitol being vacant for up to two-thirds of every year. I believe that Iowans want their Capitol used efficiently. Indeed, I recently received a letter from a state legislator who eloquently expressed this concern, "A very beautiful and majestic State House will soon become just a sterile building if the legislature is allowed to continue the removal of the elected state officials."

3) This proposed move has not been properly planned. For example, there is no place for the Auditor or the Treasurer to move within the Capitol Complex. The Senate originally required a move to the Lucas Building because of a presumed vacancy in that building. However, one floor of the Lucas Building is vacant for good reason — it is uninhabitable since it is being completely renovated. And the Lucas Building renovation is scheduled to continue for several more years. Therefore, the House corrected this error and required a move to any place within the Capitol Complex. However, there is no sufficient space available anywhere within the Complex. Other state agencies would have to be moved to new leased space in order to accomodate the move.

Moreover, the cost of such a move is large and, it is likely that the amount appropriated in the capitals bill would be insufficient to move the two offices and to remodel their Capitol quarters for use as legislative committee rooms. Also the Treasurer's vault, which was originally built in the Capitol for his office, would have to be moved and/or replaced, as would the teller cages. Those structures are not only historically valuable, they are also quite expensive to replace.

Finally, the legislature has not carefully studied its own space needs. Indeed, a space committee was appointed by the Legislative Council in December of 1982. However, the committee has yet to meet and devise a plan identifying legislative space needs and sketching out a method to meet those needs. I understand that legislative consideration of a computer purchase has spurred this desire to locate additional space. I also understand and I can sympathize with the desire to locate all of the Legislative Fiscal Bureau employees in the Capitol. But these and other legislative space needs should be specifically delineated and a plan to meet those needs should be carefully developed prior to consideration of action to force executive branch officials out of the Capitol.

Furthermore, legislative branch space needs should be weighed against those of the executive and judicial branches and the public interest. In order to accomplish this, I suggest that a special committee be convened this summer to study Capitol space needs and to seek an agreement on the future allocation of that space. I pledge the full cooperation of the executive branch in such an effort.

In addition, I plan to instruct the Comptroller's Office to work closely with the Treasurer and Auditor to ensure the proper functioning of those offices, despite the 20 percent reduction in funding included in the legislative language at issue. Also, I will ask for a supplemental appropriation to fully fund these offices and I will urge the legislature to promptly approve that appropriation during the next session.

Finally, I am also vetoing legislative intent language in the Treasurer's appropriation which limits the allowable expenditure of $17,000 of that appropriation. That limitation was placed in the bill at the time that the Treasurer's appropriation was increased by $17,000. It was unintentionally kept in the bill when the House Appropriations Committee deleted the additional funds. Failure to delete that restriction would unnecessarily hamstring the Treasurer's Office.

For the above 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 Senate File 530 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

June 3, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 531, an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety, and public defense and providing for the maintenance of the fiscal stability of certain state and local agencies by providing conditions by which they may be held liable for damages.

Senate File 531 is approved June 3, 1983, with the following exceptions which I hereby disapprove.

I am unable to approve that item designated in the Act as Section 33, which reads as follows:

Sec. 33. If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984, are insufficient to pay all appropriations in full prior to February 1, 1984, and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the transfers authorized by this section have been made.

Notwithstanding the provisions of section 423.24, there shall be transferred from the revenues collected under chapter 423 in the fiscal year beginning July 1, 1983 and ending June 30, 1984, from the use tax collected on motor vehicles, trailers and motor vehicle accessories and equipment under section 423.7 an amount necessary to provide the estimated budget resources necessary to pay all appropriations in full. However, the total amount transferred prior to February 1, 1984, shall not exceed twelve million five hundred thousand (12,500,000) dollars.

If upon transfer of the twelve million five hundred thousand (12,500,000) dollars authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31.

Any funds transferred to the general fund of the state under this section prior to February 1, 1984, shall be considered an interest-free loan and the loan shall be repaid from the general fund of the state to the road use tax fund not later than May 31, 1984.

Section 33 of Senate File 531 would allow the transfer of up to $12.5 million of the use tax on motor vehicles from the Road Use Tax Fund (RUTF) to the state's general fund if revenue estimates are less than total appropriations. This transfer is required to be implemented prior to any action to reduce state allotments under section 8.31 of the Code of Iowa. The transfer must be made prior to February 1, 1984 and the amounts transferred must be repaid to the RUTF no later than May 31, 1984.

I can understand the legislative desire to provide for alternatives to across-the-board budget cuts. I, too, view such cuts as one of the last resorts to be used to balance the state budget. However, I cannot approve this section of Senate File 531 because it would not effectively forestall such a cut, it could tempt the General Assembly into funding on-going state programs with RUTF, and it could unnecessarily disrupt the expenditure of these funds for needed road projects.

This concept was added to Senate File 531 as an amendment during debate in the House. The House amendment did not specifically include a provision to repay these funds to the RUTF. However, intent language was added stating that the legislature would repay these funds no later than June 30, 1985. As a result, the ending fiscal year 1984 balance, which is calculated based on the status of the general fund on June 30, 1984, would have been increased by the amount of the transfer.

However, the conference committee report which was passed by the legislature requires repayment by May 31, 1984 — one month before the close of the 1984 fiscal year. Thus, the fiscal year 1984 ending balance for the general fund would not be affected by the transfer. There would be no net increase in the general fund balance.

The Governor must base the decision to exercise a section 8.31 budget reduction on the expected ending general fund balance. Since Section 33 would have no impact on that balance, it would not act as an alternative to an across-the-board budget cut. Therefore, this section would apparently be unable to meet its intended purpose.

Moreover, the section could have adverse impacts. This provision would prevent the Department of Transportation from budgeting for the use of the $12.5 million available for transfer since those funds would potentially be placed in the state's general fund for a few months of every year. This would lead to an unstable road repair program with fluctuations in the work force and in the accompanying supply system. Those funds would be better spent on highway projects where they could create jobs and economic activity, especially in light of the fact that they would provide no net benefit to the state's general fund.

Also, I am concerned that this provision could tempt the General Assembly into funding on-going state operations with funds intended for the RUTF. At one time, a portion of the sales tax on automobile parts and accessories was earmarked for the RUTF. However, a temporary diversion to balance the general fund and to meet budget priorities eventually resulted in a permanent loss of the revenue to the RUTF. I am concerned that the same temptation could exist as a result of this temporary effort to balance the general fund.

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 531 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

June 9, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 532, an act relating to the administration and financing of correctional and mental health programs under the jurisdiction of the Department of Social Services or its successor agencies for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

Senate File 532 is approved June 9, 1983, with the following exception which I hereby disapprove.

I am unable to approve that portion of Section 3 which reads as follows:

> The division of adult corrections shall establish a plan to reduce the inmate population of the men's reformatory to eight hundred eighty-five inmates by September 1, 1984. On and after September 1, 1984, the superintendent of the men's reformatory shall not admit additional inmates to the men's reformatory if the inmate population of the men's reformatory equals or exceeds eight hundred eighty-five inmates.

The foregoing portion of Section 3 of Senate File 532 requires the Division of Adult Corrections to establish a plan to reduce the inmate population at the Anamosa men's reformatory to 885 inmates by September 1, 1984. It also prohibits the Anamosa superintendent from accepting any additional inmates on or after September 1, 1984, if the inmate population is 885 or greater. Thus, an effective population cap is placed on the men's reformatory.

This provision was added to Senate File 532 in subcommittee by legislators who were concerned about the prison population levels at Anamosa. Indeed, periodically during the past year the population at Anamosa has exceeded the level for which it was funded. While I can understand this concern about the prison population at Anamosa, I must disapprove this effort to place a prison cap on the men's reformatory.

First, requiring the superintendent at Anamosa to turn away inmates if the population there is 885 or greater would reduce the administrative flexibility needed to properly and safely manage our prison system. Presently, those inmates entering our prison system are carefully screened through a classification system and sent to the corrections facility which best suits their needs and the security requirements of the system. Medium security male inmates are sent to the Anamosa, Rockwell City or Mount Pleasant correctional facilities. In addition, those inmates representing the greatest security risk are sent to Anamosa and those requiring less secure facilities are sent to Rockwell City and Mount Pleasant. This proposed cap at Anamosa could effectively require prison officials to send inmates to Mount Pleasant and Rockwell City even though those facilities cannot secure those inmates properly. The public's safety could thus be threatened.

Moreover, this proposed cap at Anamosa could divert inmates to other institutions and cause the population at those facilities to increase beyond all previous expectations. This could present serious management and safety problems for prison officials and the public. Also, such a cap could arbitrarily prevent an inmate from receiving appropriate work experience or training which may be offered only at the Anamosa facility. In short, prison officials need the flexibility to control the inmate population at individual institutions so that inmate needs and the public's safety can be protected.

Second, while there have been prison population problems at Anamosa, the present inmate count at the men's reformatory is 1,013. And, that is approximately the population level for which funding has been provided. While the design capacity of the institution may be somewhat less than 1,000, state prison officials have assured me that Anamosa has the management space for that number of inmates. Indeed, Anamosa prison officials have done a commendable job of efficiently and safely managing prison populations of over 1,100. Thus, Anamosa can be properly managed and funded without the proposed reduction in the inmate population.

Third, the cap may not be needed to reduce the population at Anamosa. Legislative capital appropriations should allow for the opening of the Oakdale facility and the expansion of the Mount Pleasant unit by September 1, 1984. These additional 464 prison beds are designed to reduce the inmate population at both Fort Madison and Anamosa. Indeed, prison officials expect the additional prison capacity to allow them to reduce the Anamosa population below 900 by September of 1984. Therefore, the intent of the proponents of this provision — to reduce the Anamosa prison population — may be met without an Anamosa prison cap.

Moreover, the legislature has retained the system-wide prison population cap. While I believe a more appropriate prison population control mechanism would be a classified sentencing system, the system-wide cap does act to regulate the overall prison population without tampering with the population at each institution.

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 532 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

June 3, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 533, an act relating to and makng appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Senate File 533 is approved June 3, 1983, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 6, which reads as follows:

> Sec. 6. There is appropriated from the funds appropriated to the Iowa college aid commission in section 261.25, subsection 1, an amount sufficient to make payments to individuals who were eligible to receive a tuition grant during any of the fiscal years beginning July 1, 1980 and ending June 30, 1983 but were found ineligible because they transferred from one accredited private institution to another but failed to notify the college aid commission of the transfer by the deadline date imposed by the commission. The amount of a payment is equal to the amount of the tuition grant that would have been received by an eligible recipient pursuant to section 261.12. The college aid commission shall publish information about the eligibility for the payments under this section and shall determine the names of those individuals eligible to receive payments. Upon the receipt of proof from an eligible individual that the individual was admitted and in attendance at the accredited private institution for a semester or the trimester equivalent, the college aid commission shall make the payments.

I am unable to approve that portion of Section 8, subsection 12, paragraph a, which reads as follows:

> Notwithstanding section 8.33, unencumbered or unobligated funds appropriated in 1981 Iowa Acts, chapter 8, section 8, subsection 10, paragraph c, for the fiscal year beginning July 1, 1982 and ending June 30, 1983 are appropriated to the department of public instruction for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to be allocated to the merged area schools for general aid purposes.

Section 6 was a last minute legislative addition to Senate File 533. This section directs the Iowa College Aid Commission to reinstate Iowa tuition grants which were withdrawn over the past three years because the recipients neglected to inform the Commission of a college transfer by the date required for reporting a transfer. The Commission would be required to make these payments out of funds appropriated for future tuition grants. The Commission must also determine the names of those eligible for the payments and publicize the eligibility information.

The Iowa tuition grant program has been immensely successful in providing Iowa students with the financial ability to study at Iowa's fine private colleges and universities. Last year, over 10,000 Iowa students received a tuition grant. I strongly support this program and I am pleased that the legislature included in this bill my recommendation to substantially increase funding for it.

Because of the sizeable participation in this program, the Commission is forced to set deadlines and to require conformance with the terms of the tuition grant award. Indeed, in order to efficiently and fairly handle the more than 30,000 student documents received each year, the Commission must establish orderly procedures and deadlines for the program. One of these deadlines relates to the transfer notification.

Students receiving tuition grants are allowed to transfer from one college to another while retaining their grant. However, the Commission staff is then required to recalculate the revised amount of the grant, since grant amounts are based upon college costs. In order to recalculate the grant, the Commission must be notified of the transfer. Otherwise the grant will be sent to the original college, which will in turn notify the Commission that the student is not enrolled. As a result, the tuition grant will be withdrawn and the award will be made to another student. In short, the student must notify the Commission of a transfer in order to avoid losing a grant award.

In addition, the Commission's administrative rules clearly state that the student, to be eligible for a grant award, must meet the terms and conditions of the grant award. Indeed, the grant award to all students clearly specifies that any change in college must be reported to the Commission and failure to do so may result in the loss of the award.

This provision of Senate File 533 at issue here thus attempts to void the transfer notification condition of the tuition grant awards for the last three years. I cannot approve Section 6 for the following reasons.

1) The retroactive funding for these tuition grants will reduce next year's tuition grant appropriation. The fiscal estimates of this provision are as high as $80,000 for each of the last three years. Thus, Section 6 could deny up to $240,000 in tuition grants to needy students planning to go to a private college this fall. It would be unfair to penalize future students for the failure of past students to abide by the terms of their grant awards.

2) Many of the needy students who failed to receive a tuition grant because of the failure to provide a transfer notification were still able to be helped with federal or college funds. Moreover, federal or college student aid rules could require the repayment of the federal or college aid received upon the receipt of the retroactive tuition grant award. Thus, Section 6 of this bill could give the students an administrative headache and little financial assistance.

3) This provision of Senate File 533 would place an additional administrative burden on both the College Aid Commission and the private colleges. Section 6 would require the Commission and the private schools to spend a sizeable amount of time reconstructing records of students who may no longer be enrolled. This would be an additional administrative task for private colleges during an extremely busy time of the year for financial aid staff. The time spent trying to reconstruct records of students who may not be enrolled in the fall will detract from the attention that can be given to new students with financial needs.

4) The transfer notification deadline does not appear to be unreasonable. It is needed to fairly and efficiently award grants to the thousands of Iowa students who apply for them. Moreover, the notification deadline is plainly spelled out to the student on the grant award and has been well-publicized. There would appear to be no reasonable excuse to violate the notification requirement.

While students and parents may occasionally get frustrated by particular procedures, they are needed for consistency and fairness. And no single rule violation should be singled out for special treatment. If rule changes are needed, it would be far better to work with the Commission to revise them than to tie retroactive rule changes to appropriations for new students.

The appropriation for the merged area schools contains a provision which would allow area schools to retain the unspent portion of their additional fiscal year 1983 utility and fuel funds for expenditure in fiscal year 1984. I am unable to approve that provision because it would result in inequitable treatment of utility budgets for state-funded agencies and institutions.

In 1981, the legislature appropriated $600,000 for fiscal year 1982 and 1983 in additional utility and fuel funds for the area schools. These funds were intended to pay for any utility and fuel costs that were larger than expected. Due to a slower than expected rise in utility costs over the past year, up to $300,000 of the special utility appropriation will not be spent this fiscal year.

Ordinarily, that amount would revert to the state's general fund. However, this portion of Senate File 533 allows the area schools to retain the unspent funds and to roll them into the base upon which future budgets will be built.

Many state agencies experienced a similar surplus of utility appropriations and these extra funds are being reverted to the state's general fund. Indeed, the Board of Regents will be reverting over $6 million to the general fund, most of which is the result of unspent utility funds. These reversions are welcome since they will provide a needed boost to the state's strained budget. State fiscal demands prevent an exemption of merged area schools from these utility reversions.

Moreover, while I understand the fiscal concerns of area schools, I question whether the merged area schools need to be singled out for this special treatment. The state has historically attempted to treat the area schools and the Regents institutions similarly when funding operational budgets. Indeed, my budget applied the same budgetary guidelines to the area school operational budgets as those applied to the Regents. However, the legislature reduced the Regents fiscal year 1984 utility budget significantly below my requests while increasing the merged area budget by $400,000 over my recommendation. Since there is no evidence of significantly higher fuel rates for area schools than those paid by the Regents institutions, there would appear to be little reason to exempt the area schools from reverting their unspent utility funds to the state.

For the above 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 Senate File 533 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

June 12, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 548, an act for the purpose of improving the Iowa economy and providing improved employment conditions by establishing work relief programs for unemployed Iowans, establishing energy management programs for certain local governments and in buildings owned or occupied by state agencies, encouraging capital investment to stimulate the establishment or expansion of small business and industry, establishing a small business division within the Iowa Development Commission, creating an Iowa product development corporation, appropriating funds for a residential mortgage interest reduction program, creating an Iowa high technology council, establishing a community development loan program, establishing a fund from which to make loans for the establishment of soil and water conservation practices, authorizing the Iowa Department of Transportation to issue and become obligated for road use tax revenue bonds, establishing a job training partnership program, providing for the establishment of a corporation by the Iowa Development Commission which will organize and manage an investment fund which will invest in Iowa enterprises and allowing a state income tax credit on the net investment in the fund, establishing a program to aid communities in developing festivals and other tourist attractions, and making various appropriations to carry out the programs.

Senate File 548 is approved June 12, 1983, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 1 and that portion of Section 2 which reads as follows:

Section 1. TITLE. Division I of this Act shall be known as the "Iowans Out of Work Act of 1983".

Sec. 2. IOWA JOBS NOW. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, three million six hundred thousand (3,600,000) dollars, or so much thereof as is necessary, to establish and fund a statewide work relief program for unemployed Iowans, to be known as the Iowa jobs now program, in accordance with the following conditions:

1. Of the funds appropriated under this section from the general fund of the state, three million (3,000,000) dollars, or so much thereof as is necessary, is appropriated to the office for planning and programming to be used as follows:

b. Funds under the program shall be made available to the state, a state agency, or a county or city which establishes and administers a work relief project, but shall not be made available to a hospital or a school district. The jobs commission shall prescribe standards for the priority selection of work relief projects to be funded under the program. The standards shall include, but are not limited to, priority selection based on the commitment of local matching funds at a ratio of one dollar of local funds to each dollar of state funds; the project's rate of economic return to the community; the number of individuals who will work on the project; the number of individuals who would benefit from the project; the benefit to the community as a whole and the need for the project. Sixty percent of the state funds shall be targeted to those counties of the state with unemployment rates at least two percent above the statewide unemployment rate, as determined by the jobs commission from statistics provided by the department of job service. The remaining funds shall be distributed to other counties of the state. The office for planning and programming may prohibit or limit the use of the funds for state, county or city administrative or supervisory expenses. The state, state agency, county or city shall pay for all necessary project supplies and materials. The office for planning and programming shall not administer or supervise local projects but shall provide technical support and financial accounting services only to the program. The office for planning and programming shall not use more than one and one-half percent of the funds appropriated under this subsection for administrative expenses.

c. The state, state agency, county or city which establishes a local work relief project shall administer the project and shall hire and supervise individuals to work on the project. The state shall provide general liability coverage for the individuals employed, under chapter 25A as if the individuals were employees of the state. The state shall provide workers' compensation coverage for the individuals employed under sections 85.57 and 85.58 as if the individuals were state employees. Individuals

employed on a project are exempt from the provisions of chapter 96, under section 96.19, subsection 6, paragraph a, subparagraph (6), subpart (e), and are hereby exempted from the provisions of chapter 19A, 97B, and 400.

d. The state, state agency, county or city shall employ only those unemployed individuals, who receive little or no unearned income and who have exhausted all available unemployment compensation benefits or are not eligible for unemployment compensation benefits, to work on a local work relief project. The jobs commission may prescribe a uniform procedure to disregard all or a portion of an unemployed individual's unearned income. The individuals shall be paid the federal statutory minimum hourly wage, and shall not be employed for more than thirty-two hours per week in order to allow the individuals to seek private employment. The individuals shall apply for any job training or counseling services available within their respective service delivery areas under the federal Job Training Partnership Act, Pub. L. No. 97-300.

This subsection shall not be construed to disqualify individuals employed by a local work relief project from receiving services for which the individuals are otherwise eligible under the federal Job Training Partnership Act, Pub. L. No. 97-300.

e. The state, state agency, county or city shall not employ the individuals to replace regular state, county or city employees, but shall employ the individuals in labor-intensive jobs for no longer than six months. However, if federal law or regulation prohibits an individual's exemption from chapter 96, the individual shall be employed for no longer than three months. Hiring practices shall follow an affirmative action plan based upon guidelines provided by the Iowa state civil rights commission. The plan shall provide for the hiring of women in traditional and nontraditional employment.

f. Notwithstanding section 8.33, unencumbered or unobligated funds appropriated by this subsection for the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall not revert to the general fund of the state until June 30, 1985.

2. Of the funds appropriated under this section from the general fund of the state, five hundred thousand (500,000) dollars, or so much thereof as is necessary, is appropriated to the office for planning and programming to contract with the federal action agency for the establishment and funding of a volunteers in service to Iowa program for unemployed Iowans in accordance with the following conditions:

a. The policy-making commission established in subsection 1 shall direct and supervise the establishment and funding of the volunteers in service to Iowa program. The office for planning and programming shall contract with the federal action agency to administer the volunteers in service to Iowa program on a cost-sharing basis with the federal action agency. The federal action agency shall not use more than one and one-half percent of the funds appropriated under this subsection for

administrative expenses. If the office for planning and programming is unable to contract with the federal action agency, the office shall monitor the use of funds under the program, and shall not use more than one and one-half percent of the funds appropriated under this subsection for administrative expenses.

b. Funds under the program shall be used to pay a stipend of three hundred thirty-five dollars per one-month period to unemployed volunteers who receive little or no unearned income and who have exhausted all available unemployment compensation benefits or are not eligible for unemployment compensation benefits. In addition, the volunteers shall receive at the end of their period of work assignment, seventy-five dollars for each month of work completed. The commission may prescribe a uniform procedure to disregard all or a portion of an unemployed individual's unearned income. The volunteers may be assigned to work for any public or nonprofit entity for a minimum of six months and a maximum of one year. However, if a contract with the federal action agency is not entered into for administration of the program, a volunteer under the program shall be assigned to work for no longer than three months. The volunteers shall agree to make a full-time commitment to a work assignment which is beneficial to the community or assists unemployed or elderly, low-income Iowans or other needy Iowans to become more self-sufficient or to improve their quality of life. The volunteers shall be available for work at least forty hours per week without regard to regular working hours and at all times during their periods of work, except for authorized periods of leave. The work assignments may include, but are not limited to, assignments to projects providing chore services for the elderly, remedial reading or writing instruction, community or individual gardening instruction and organization, food cooperative instruction and organization, home energy conservation assistance, skill-sharing instruction and organization, distribution services for public or private commodities, and child day care. The work assignments shall not be made to replace regular employees or for participation in religious activities. The work assignments shall, if possible and where needed, be approached in a manner which would assist in the continuation of volunteers' assignments beyond their terms of assignment, by encouraging local involvement.

c. The public or nonprofit entity to which an individual is assigned shall supervise and direct the individual and shall pay for all necessary work materials, supplies, and transportation costs. Work assignment practices shall follow an affirmative action plan based upon guidelines provided by the Iowa state civil rights commission. The plan shall provide for the assignment of women to traditional and nontraditional employment. If the federal action agency administers the program, volunteers are provided general liability, health and accident, and workers' compensation coverage pursuant to federal regulations. If a contract with the federal action agency is not entered into for the administration of the program, the state shall provide general liability coverage for the volunteers, under chapter 25A, as if the volunteers were employees of the state, and the state shall provide workers' compensation coverage for the

volunteers under sections 85.57 and 85.58 as if the volunteers were state employees. The volunteers are exempt from the provisions of chapter 96, under section 96.19, subsection 6, paragraph a, subparagraph (6), subpart (e), and are hereby exempted from the provisions of chapters 19A, 97B and 400.

d. Notwithstanding section 8.33, unencumbered or unobligated funds appropriated by this subsection for the fiscal year beginning July 1, 1983 and ending June 30, 1984 shall not revert to the general fund of the state until June 30, 1985. Funds appropriated by this subsection may be transferred under section 8.39 to the local work relief projects funded under subsection 1 if the funds are not needed for the volunteers to service in Iowa program.

3. Of the funds appropriated under this section from the general fund of the state, one hundred thousand (100,000) dollars, or so much thereof as is necessary, is appropriated to the Iowa arts council, to be used as follows:

a. An individual artist may receive a cash grant not to exceed three thousand dollars for a project determined to be in the public good including but not limited to touring performances and exhibitions, concerts for hospitals or nursing home residents, school concerts, participation in art festivals, fairs, and conventions, paintings, drawings, or sculpture for state buildings, photographic documentation of life in Iowa, public murals, training seminars for students, poetry readings, publications, school residencies, or other projects which are open to the public. A grantee may request an additional stipend not to exceed ten percent of the grant to be used for materials and transportation costs. A grant may be made to an individual artist for a project involving a group of artists. Only the individual artist submitting the application must qualify under paragraph d.

b. An eligible organization under paragraph d may apply for a grant not to exceed three thousand dollars to match an equal amount to be used to hire, for up to one year, an artist-in-residence or arts administrator. Artists hired must meet the eligibility requirements of paragraph d.

c. Applications for a grant may be submitted to the Iowa arts council or to any job service office in the state. Applications shall be reviewed monthly by an advisory committee appointed under section 304A.6, subsection 4. The advisory committee shall submit recommendations to the council regarding possible recipients and the grant amount.

d. An individual must be an Iowa resident and must have been unemployed or had a combined adjusted gross income for federal income tax purposes for the individual and the individual's spouse of less than ten thousand dollars during the twelve months prior to making application. An organization must be incorporated under chapter 504A.

e. The Iowa arts council shall require all grantees to sign a contract and to report to the council within forty-five days following completion of the project. Works produced by a person receiving an individual grant

are the property of the state in care of the Iowa arts council. Works produced by a person hired by an organization receiving a grant are the property of the organization.

4. The policy-making commission established in subsection 1 shall cooperate with the state job training coordinating council established pursuant to the federal Job Training Partnership Act, Pub. L. No. 97-300, in the implementation of the Iowa jobs now program. State agencies shall cooperate with the federal action agency in the implementation of the volunteers in service to Iowa program and with the office for planning and programming in the implementation of the Iowa jobs now program, and shall provide necessary job training and technical assistance, for short periods of time, in assisting in the implementation of the Iowa jobs now program. Chapter 17A does not apply to the office for planning and programming or to the cooperating state agencies in the implementation of the Iowa jobs now program.

I am unable to approve the item designated in the Act as Division III which reads as follows:

Sec. 7. NEW SECTION. 220.70 PURPOSE. It is the purpose of this division to provide capital investment in the state to encourage the establishment or expansion of small business and industry, to provide additional jobs within the state, and to assist communities to deversify and stabilize the economies.

Sec. 8. NEW SECTION. 220.71 CERTIFIED DEVELOPMENT PROGRAM. The authority shall implement a program to assist small businesses in obtaining funds to establish and expand small businesses and create new jobs. The authority shall use the funds to cooperate with and implement the certified development program of the United States small business administration. The funds provided by the authority shall be in the form of loans. The loans shall be made available in cooperation with local and statewide certified development companies and shall be available to small businesses qualified under guidelines of the United States small business administration. Section 220.62, subsection 2, applies to the administration of this section.

For purposes of this division, "small business" means small business as defined in section 220.1, subsection 28 and "capital infusion loan" means a loan under this division by the authority to a small business.

Sec. 9. NEW SECTION. 220.72 CAPITAL INFUSION LOANS. Capital infusion loans authorized under this division shall be made from funds appropriated to the authority for that purpose. A capital infusion loan shall be made only in conjunction with a loan made through or in conjunction with a United States small business administration loan for a project. The capital infusion loan shall not constitute more than ten percent of the entire amounts loaned to the small business with respect to the project. The authority may fund other portions of the project with loans of the authority made pursuant to other sections of this chapter.

Capital infusion loans shall be repaid under terms determined by the authority. However, the small business shall not be required to pay interest on that part of the loan received from funds appropriated to the authority for that purpose from the general fund of the state.

Sec. 10. Sections 7 through 9 are enacted as a new division of chapter 220.

Sec. 11. There is appropriated from the general fund of the state to the Iowa housing finance authority for the fiscal year beginning July 1, 1983 and ending June 30, 1984, the sum of five million (5,000,000) dollars, or so much thereof as is necessary, to implement this division.

I am unable to approve the item designated in the Act as Division VI which reads as follows:

Sec. 34. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the Iowa housing finance authority the amount of three million (3,000,000) dollars to be used to fund the program to reduce interest costs to be paid on loans established in section 220.81 of Senate File 223 as enacted by the 1983 Session of the Iowa general assembly.

I am unable to approve the item designated in the Act as Section 41 which reads as follows:

Sec. 41. If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the expended funds appropriated by this division are included in the estimated budget resources. Upon inclusion of the unexpended funds appropriated in this division in the estimated budget resources, any funds appropriated by this division and not encumbered shall remain in the general fund of the state.

If upon inclusion of the funds appropriated by this division in the estimated budget resources for the fiscal year beginning July 1, 1983 and ending June 30, 1984 as authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31.

I am unable to approve the item designated in the Act as Division X which reads as follows:

Sec. 55. NEW SECTION. 307.41 SHORT TITLE. Sections 307.41 through 307.62 are created as a separate division of chapter 307, known as the "Iowa Economic Development Highway Bond Act".

Sec. 56. NEW SECTION. 307.42 DECLARATION OF NECESSITY AND PURPOSE. The purpose of this division is to benefit the citizens of Iowa by assuring that adequate funds are available to meet road transportation needs of the state, to construct, reconstruct, and improve the highways and bridges of this state, including acquiring rights-of-way for them, and to assure that there are adequate highways for the health, safety, economic development, prosperity, and well-being of the citizens of Iowa. It is the further purpose of this division to authorize the department to issue bonds to finance the improvement of existing highways and bridges and to reconstruct, construct, and improve these highways as necessary for the health, safety, economic development, prosperity, and well-being of the citizens of Iowa. All of the purposes stated in this section are public purposes for which public moneys may be borrowed, expended, advanced, loaned, and appropriated.

Sec. 57. NEW SECTION. 307.43 LEGISLATIVE FINDINGS. The general assembly finds and declares:

1. The construction, reconstruction, and improvement of an adequate highway system within this state is vital for the well-being, health, safety, economic development, and prosperity of the state, its citizens, and its economy.

2. It is essential to the continued well-being, health, safety, economic development, and prosperity of the state, its citizens, and its economy that the state proceed promptly to improve existing roadways, acquire real property necessary to constitute right-of-way for future highway construction, construct, reconstruct, and improve highways and bridges, and have adequate financial resources to meet these needs.

3. Current revenues available are insufficient to construct, reconstruct, and improve the highways and bridges necessary for the continued well-being, health, safety, economic development, and prosperity of the state, its citizens, and its economy.

4. The issuance of the department of road use tax revenue bonds, the appropriation of the net proceeds of the bonds to the primary road fund, and the appropriation of funds of the road use tax fund to the payment of principal of and interest on the road use tax revenue bonds are in all respects for the benefit of the people of the state of Iowa, for the improvement of their health and welfare, and for the promotion of economic development and the economy, all of which are public purposes.

Sec. 58. NEW SECTION. 307.44 DEFINITIONS. When used in this division, unless the context otherwise requires:

1. "Construction projects" or "road construction projects" means the surfacing and resurfacing of primary roads and the grading, draining, paving, bridging, and the incidental work in connection therewith, the reconstruction and improvement of primary roads and bridges, and the acquisition of real property for future highway needs.

2. "Bonds" means negotiable road use tax revenue bonds of the department issued pursuant to this division, and all bonds, notes, and other obligations issued in anticipation of these bonds or as refunding bonds pursuant to this division.

3. "Primary roads" means as defined in section 306.3, subsection 2.

4. "Primary road fund" means the fund created by section 313.3.

5. "Highway bond fund" means the fund created in section 307.51.

6. "Road use tax fund" means the fund created by section 312.1.

7. "Treasurer" means the treasurer of the state of Iowa.

Sec. 59. NEW SECTION. 307.45 BONDS AUTHORIZED. The department may issue and sell bonds in an amount not to exceed ten million dollars, and may become obligated to pay the bonds, as provided in this division. Bonds are limited obligations of the department payable solely from the highway bond fund. The total amount of bonds outstanding at any time shall not exceed ten million dollars. If the supreme court of this state determines that this division and any bonds issued and sold pursuant to this division are not in violation of the constitution of this state the limit on the total amount of bonds that may be outstanding at any one time shall be increased by one hundred million dollars. Beginning with the fiscal year after such determination by the supreme court and for each fiscal year thereafter if the actual amount of road use tax revenues credited to the primary road fund in a fiscal year is less than the amount of such revenues which the department had estimated would be credited to the primary road fund in that fiscal year, the department may issue and sell bonds for that fiscal year in an amount equal to the difference, but not in excess of ten million dollars. If the department has a project which will cost more than ten million dollars and the issuance and sale of bonds are needed the department may issue and sell an amount of bonds sufficient to pay the cost for this project if the general assembly passes a concurrent resolution authorizing the department to issue and sell bonds in a specific amount and for that specific project. The proceeds of the sale of bonds shall be paid into the primary road fund to be expended for road construction projects and for expenses incurred in issuing the bonds, as approved, directed, or incurred by the department. The proceeds of the bonds shall not be used by the department to pay other administrative expenses.

Sec. 60. NEW SECTION. 307.46 TERMS OF BONDS. Bonds shall bear interest at the rate or rates and be in the denominations determined by the commission. The commission shall determine the maturity or maturities of the bonds and the dates of interest payment on the bonds. Each bond is due and payable on the date stipulated on the face of the bond, which date shall not be more than ten years after the date of issuance. The principal and interest are payable at the office of the treasurer or at any other place or places designated by the commission. Each bond shall be executed on behalf of the department with the manual signature of the chairperson or vice chairperson of the commission and attested with a manual or facsimile signature of the director and shall have impressed or printed on it the seal of the department. Coupons attached to the bonds, if any, shall be executed by the facsimile signature of the director. Each facsimile signature has the same force and effect as if the officer had manually signed or attested to each of the bonds and coupons.

The bonds are limited obligations of the department payable solely from those road use tax funds credited to the highway bond fund and are not general obligations of the state and are not debts or obligations of the state within the meaning of any statutory or constitutional debt limitation.

Sec. 61. NEW SECTION. 307.47 SALE OF BONDS. The commission shall sell the bonds to obtain funds to carry out the purpose of this division and authorize the payments as provided in this division. The proceeds from the sale shall be deposited with the treasurer. The bonds may be sold by the commission at public sale. If the commission so determines, the bonds may be sold by the commission at private sale without published notice and without the regular requirements of a public sale and the sale of the bonds shall be in the manner and upon the terms prescribed by the resolution of the commission authorizing the private sale. If the bonds are sold at public sale, they shall be sold upon terms of not less than par plus accrued interest.

The director with the advice and assistance of counsel shall cause to be prepared the form of advertisements, resolutions, agreements, and other necessary forms for use in the offering for sale and issuance of the bonds and to prepare and cause to be printed the proper form of bond and to deliver the bonds to the proper officials for signature.

If the bonds are offered for public sale the commission shall, by advertisement published for two or more successive weeks in at least one newspaper of general circulation in the state, give notice of the time and place of sale of the bonds, the amounts to be offered for sale, and other information which is deemed pertinent. The last day of publication shall not be less than seven days prior to the date of sale of the bonds. Sealed bids may be received at any time prior to the calling for open bids. At the time and place designated for the sale of bonds, the commission shall first call for open bids. After all of the open bids have been received the substance of the best open bid shall be noted in the minutes. The commission shall then open the sealed bids that have been received and shall note in the minutes the substance of the best sealed bid.

In the discretion of the commission, any or all bids may be rejected, and the sale may be advertised anew in the same manner, or the bonds or any portion of the bonds may be sold at private sale to one or more of the bidders, or other persons.

Sec. 62. NEW SECTION. 307.48 BOND PROCEEDINGS. The bonds shall be authorized by resolution of the commission and bond proceedings shall provide for the purpose of the bonds, principal amount and principal maturity or maturities, not exceeding ten years from the date of issuance, the interest rate or rates or the maximum interest rate the date of the bonds and the dates of payment of interest on the bonds, their denomination, the terms and conditions upon which parity bonds may be issued, and the establishment within or without the state of a place or places of payment of principal of and interest on the bonds. The purpose of the bonds may be stated in the bond proceedings in terms describing the general purpose or purposes to be served. The commission may cause to be issued a prospectus or official statement in connection with the

offering of the bonds. Bonds may be issued in coupon or in registered form, or both. Provision may be made for the registration of bonds with coupons attached as to principal alone, or as to both principal and interest, their exchange for bonds so registered, and for the conversion or reconversion into bonds with coupons attached of any bonds registered as to both principal and interest, and for reasonable charge for registration, exchange, conversion, and reconversion. Bonds shall be sold in the manner and at the time determined by the commission. Chapter 75 and sections 23.12 through 23.16 do not apply to these bonds. The bonds are negotiable instruments. The bond proceedings may contain additional provisions as to:

1. The redemption of bonds prior to maturity at the option of the commission at the price and on the terms and conditions provided in the bond proceedings.

2. Other terms of the bonds and concerning execution and delivery of the bonds.

3. The delegation of responsibility for any act relating to the issuance, execution, sale, redemption, or other matter pertaining to the bonds to any other officer, agency of the state, or other person or body.

4. Additional agreements with the bondholders relating to the bonds.

5. Payment from the proceeds of the sale of the bonds of all legal and financial expenses incurred by the department or the commission in the issuance, sale, delivery and payment of the bonds.

6. Other matters, alike or different, which may in any way affect the security of the bonds and the protection of the bondholders.

Sec. 63. NEW SECTION. 307.49 ADDITIONAL POWERS OF COMMISSION. In connection with the issuance of the bonds or in order to secure the payment of the bonds and interest on the bonds, the commission may by resolution:

1. Provide that the bonds be secured by first lien on all or any part of the moneys paid into the road use tax fund from the sources specifically prescribed in article VII, section 8 of the Iowa constitution and that the moneys when paid into the road use tax fund will be credited to the highway bond fund with the moneys credited to the highway bond fund each fiscal year being deemed from the road use tax fund allocation to the primary road fund for that fiscal year.

2. Pledge and assign to or entrust for the benefit of the bondholders any part of the road use tax fund revenues collected as prescribed in article VII, section 8 of the Iowa constitution, as will be necessary to pay the principal of and interest on the bonds as they mature or become due by providing that the revenues collected shall be credited to the highway bond fund with the moneys credited to the highway bond fund each fiscal year being deemed from the road use tax fund allocation to the primary road fund for that fiscal year.

3. Establish, authorize, set aside, regulate, and dispose of reserves and sinking funds.

4. Provide that sufficient amounts of the proceeds of the sale of the bonds may be used to fully or partially fund any and all reserves or sinking funds set out by the bond resolution.

5. Prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of the bonds whose holders must consent thereto, and the manner in which the consent may be given.

6. Purchase bonds, out of funds available for that purpose, which shall be canceled, at a price not exceeding either of the following:

a. If the bonds are then redeemable, the redemption price then applicable plus accrued interest to the next interest payment date.

b. If the bonds are not then redeemable, the redemption price applicable on the first date after the purchase upon which the bonds become subject to redemption plus accrued interest to that date.

Sec. 64. NEW SECTION. 307.50 FUNDS APPROPRIATED. The proceeds from the issuance of the bonds shall be paid into a separate account which shall be established within the primary road fund and are appropriated to and shall be expended by the department for road construction projects.

In expending the proceeds from the issuance of the bonds, the department shall implement a women's business enterprise program to involve independent businesses owned and controlled by women in road construction projects funded under this division. The program shall establish an overall goal for the participation of women's business enterprises of five percent of the proceeds from the issuance of the bonds, and shall establish specific project goals, including dollar goals, for the participation of women's business enterprises capable of meeting general contracting requirements and particular project solicitations. General contractors shall make a good faith effort to meet the specific goals established for a project funded under this division. The department shall maintain a current directory of women's business enterprises which have been certified as owned and controlled by women and which are capable of meeting general contracting requirements and particular project solicitations. A women's business enterprise shall be certified as owned and controlled by women if the business is independent, at least fifty-one percent owned by women, and managed and operated by women, with women making both the day-to-day decisions as well as the major decisions for the business. The women's ownership shall be real, substantial, and continuing.

In advertising for bids and letting contracts for road construction projects funded under this division, the department shall establish an overall goal for the participation of women construction workers and shall establish specific project participation goals, including percentages

of women workers on the project, after considering the number of women workers available and trainable, by the department, for the project. Contractors shall make a good faith effort to meet the specific goals established for a project funded under this division.

Sec. 65. NEW SECTION. 307.51 PAYMENT OF BONDS. A highway bond fund is created in the state treasury. At the direction of the commission as provided in the bond proceedings or pursuant to section 307.49, subsection 1 or 2, and as certified by the director, the treasurer of state shall credit to the highway bond fund from the road use tax fund a sum at least sufficient to pay interest on the bonds in each fiscal year and principal on the bonds that mature during each fiscal year with the moneys credited each fiscal year to the highway bond fund coming from the road use tax fund allocation to the primary road fund for that fiscal year. In each fiscal year after the effective date of this division and after bonds are issued, and until all the bonds issued have been retired, in order to provide for the payment of principal of the bonds issued and sold and the interest on them as the same become due and mature, there is pledged and annually appropriated out of the road use tax fund to be credited to the highway bond fund an amount sufficient to pay principal and interest on the bonds issued for each of the years the bonds are outstanding with the moneys credited each fiscal year to the highway bond fund coming from the road use tax fund allocation to the primary road fund for that fiscal year. The director shall annually certify to the treasurer the amount of funds required to pay interest on the bonds in the ensuing fiscal year and the principal on the bonds that mature during the ensuing fiscal year.

Sec. 66. NEW SECTION. 307.52 PLEDGE AS SECURITY FOR BONDS. A pledge made pursuant to this division is valid and binding from the time the pledge is made.

The money pledged and received by the treasurer to be placed in the road use tax fund and subsequently credited to the highway bond fund are immediately subject to the lien of the pledge without any future physical delivery or further act and the lien of a pledge is valid and bind ing against all parties having claims of any kind in tort, contract, or otherwise against the commission or the department irrespective of whether the parties have notice of the lien of the pledge. The resolution or trust indenture or other instrument by which a pledge is created, when placed in the records of the department, is notice to all concerned of the creation of the pledge, and the instruments need not be recorded in any other place.

Sec. 67. NEW SECTION. 307.53 NONLIABILITY OF THE STATE AND ITS OFFICIALS. Bonds issued are special limited obligations of the department and are not a debt or liability of the state or any other political subdivision within the meaning of any constitutional or statutory debt limitation and are not a pledge of the state's credit or taxing power within the meaning of any constitutional or statutory limitation or provision and except as provided in this division, an appropriation

shall not be made, directly or indirectly, by the state or any political subdivision of the state for the payment of bonds. The bonds are special obligations of the department payable solely from the highway bond fund. Funds from the general fund of the state shall not be used to pay interest or principal on the bonds if revenues deposited in the road use tax fund are insufficient.

The members of the commission, the department, or other person executing the bonds is not personally liable for the payment of the bonds. The bonds are valid and binding obligations of the department notwithstanding the fact that before the delivery of the bonds any of the officers whose signatures appear on the bonds cease to be officers of the state. From and after the sale and delivery of the bonds, they shall be incontestable by the department or the commission.

Sec. 68. NEW SECTION. 307.54 BOND ANTICIPATION NOTES. The power to issue bonds includes the power to issue obligations in the form of bond anticipation notes or other forms of short-term indebtedness and to renew these notes by the issuance of new notes. The holders of notes or interest coupons of notes have a right to be paid solely from those road use tax funds credited to the highway bond fund which were pledged to the payment of the bonds anticipated, or from the proceeds of those bonds or renewal notes, or both, as the commission provides in the bond proceedings authorizing the notes. The notes may be additionally secured by covenants of the commission to the effect that the commission will do those acts authorized by this division and necessary for the issuance of the bonds or renewal notes in appropriate amount, and either exchange the bonds or renewal notes for the notes, or apply the proceeds of the notes, to the extent necessary, to make full payment of the principal of and interest on the notes at the time contemplated, as provided in the bond proceedings. For this purpose, the commission may issue bonds or renewal notes in a principal amount and upon terms as authorized by this division and as necessary to provide funds to pay when required the principal of and interest on the outstanding notes, notwithstanding any limitations prescribed by this division, other than the limitation contained in section 307.45. All provisions for and references to bonds in this division are applicable to notes authorized under this section to the extent not inconsistent with this section.

Sec. 69. NEW SECTION. 307.55 REFUNDING OF OBLIGATIONS. The commission may authorize and issue bonds for the refunding, including funding and retirement, and advance refunding with or without payment or redemption prior to maturity, of bonds previously issued by the department. These bonds may be issued in amounts sufficient for payment of the principal amount of the prior bonds, any redemption premiums on the prior bonds, principal maturities of bonds maturing prior to the redemption of the remaining bonds on a parity with them, interest accrued or to accrue to the maturity date or dates of redemption of the bonds, and project costs including expenses incurred or to be incurred in connection with this issuance, refunding, funding, and retirement. Subject to the bond proceedings, the portion of proceeds of the sale

of bonds issued under this section to be applied to principal of and interest on the prior bonds shall be credited to the appropriate account for the prior bonds. Bonds authorized under this section shall be deemed to be issued for those purposes for which the prior bonds were issued and are subject to the provisions of this division pertaining to other bonds. Bonds refunded shall not be considered to be outstanding for purposes of section 307.45.

Refunding bonds may be issued without regard to whether or not the bonds to be refunded are payable on the same date or different dates or due serially or otherwise.

Sec. 70 NEW SECTION. 307.56 BONDS AND INTEREST ON THE BONDS NOT SUBJECT TO TAXATION. Bonds, their transfer, and the income from the bonds are not subject to taxation by this state.

Sec. 71. NEW SECTION. 307.57 BONDS AS LEGAL INVESTMENTS. Bonds are securities in which all public officers and bodies of the state and all municipalities and political subdivisions of this state, all insurance companies and associations and other persons carrying on an insurance business, all banks, bankers, trust companies, savings banks, and savings associations, including savings and loan associations, building loan associations, investment companies, and other persons carrying on a banking business, all administrators, guardians, executors, trustees, and other fiduciaries and all other persons who are now or may be authorized to invest in bonds or other obligations of this state may properly and legally invest funds including capital in their control or belonging to them. The bonds are also securities which may be deposited with and may be received by all public officers and bodies of the state and all municipalities and legal subdivisions of this state for any purpose for which the deposit of bonds or other obligations of the state is now or may be authorized.

Sec. 72. NEW SECTION. 307.58 RIGHTS OF BONDHOLDERS. The bond proceedings may provide that a holder of bonds or a trustee under the bond proceedings, except to the extent that the holder's rights are restricted by the bond proceedings, may by legal proceedings, protect and enforce any rights under the laws of this state or granted by the bond proceedings. These rights include the right to compel the performance of all duties of the department required by this division or the bond proceedings; to enjoin unlawful activities; and in the event of default with respect to the payment of any principal of or interest on bonds or in the performance of a covenant or agreement on the part of the department in bond proceedings, to apply to a court to appoint a receiver to receive and administer the funds which are pledged to the payment of bonds or which are the subject of the covenant or agreement, with full power to pay and to provide for payment of any principal of or interest on bonds and with powers accorded receivers in general equity cases, excluding power to pledge additional funds or other income or moneys of the department, the state, or governmental agencies of the state to the payment of the bonds.

Sec. 73. NEW SECTION. 307.59 NOTICE. Within ten days after the commission adopts a resolution declaring its intention to issue bonds, it shall publish a notice of its intention to issue bonds in a newspaper published in and with general circulation in the state. The notice shall include a statement of the maximum amount of bonds proposed to be issued and, in general terms, what funds will be pledged to pay principal of and interest on the bonds. An action which questions the legality or validity of bonds or the power of the department to issue bonds or the effectiveness or validity of proceedings adopted for the authorization or issuance of bonds shall not be brought after sixty days from the date of publication of the notice.

Sec. 74. NEW SECTION. 307.60 COURTS TO HAVE JURISDICTION. Courts of record in this state have jurisdiction to issue all original and remedial writs necessary for the determination of the validity or constitutionality of this division.

Sec. 75. NEW SECTION. 307.61 SEVERANCE CLAUSE. If any clause, sentence, paragraph, or part of this division is for any reason judged by a court of competent jurisdiction to be invalid, the judgment shall not affect, impair, or invalidate the remainder of this division, but is confined in its operation to the clause, sentence, paragraph, or part directly involved in the controversy in which the judgment has been rendered.

Sec. 76. NEW SECTION. 307.62 LIBERAL INTERPRETATION. This division, being necessary for the welfare of this state and its inhabitants, shall be liberally construed to effect its purposes.

Senate File 548 is the omnibus jobs bill. I applaud legislators for sharing my goals of job creation and economic development for the state of Iowa. Indeed, much significant non-budgetary legislation was enacted this year to accomplish those goals — revising security laws, increasing small business loans and removing financial restrictions on the housing industry, to name just a few. In addition, the legislature expressed its commitment to economic growth through the budget process, as well. And, this $24.9 million bill represents the bulk of that effort.

While I share the legislature's desire to spur economic growth in Iowa, I also believe that state government's economic development efforts should follow certain guidelines. First, state action should encourage the private sector to create meaningful and lasting jobs for Iowans. Iowans want meaningful jobs they can count on so that they can support themselves and their families with some measure of personal satisfaction and financial security. Moreover, stimulating private sector development is the only way to truly strengthen Iowa's economy. Second, action to encourage economic development must take into consideration the state's available budget resources. The state budget is already stretched tight and this bill results in approximately $12.8 million of expenditures in excess of recommended levels. While the legislature did raise some additional revenues, the state simply cannot afford all of this extra spending. Thus, each item in this omnibus bill has been reviewed with an eye toward obtaining the greatest economic development benefit for each state dollar spent.

Division I of Senate File 548 would establish a $3.6 million public works program in Iowa. This division requires that $3 million of the appropriated funds be made available to state or local government agencies to employ individuals for up to six months for unspecified work relief projects. The individual is to be paid the federal minimum wage and is allowed to work no more than 32 hours per week. This division also appropriates $500,000 for a paid volunteer program to be administered by the federal action agency. These paid volunteers would work for up to one year for any public or nonprofit entity. Finally, Division I includes a $100,000 appropriation to pay cash grants of up to $3,000 to artists for public projects.

I understand and respect the legislative purpose behind these programs — to provide temporary public work for those who have exhausted their unemployment benefits. Indeed, many of these Iowans need our assistance. However, this proposal does not address the long term needs of these Iowans, is inappropriately directed and duplicates some existing programs. Therefore, I must disapprove this plan for additional state spending.

The public works portion of Division I would create only temporary, unspecified work for Iowans who need meaningful and lasting jobs. At the end of a six-month public works stint, an unemployed Iowan would likely be in no better economic shape than he or she was before the job began. Indeed, this program may effectively delay unemployed Iowans from taking the necessary steps to re-enter the private sector workforce.

These necessary re-employment steps include searching for work and obtaining the training skills needed for new employment. Lack of proper job training is one of the greatest impediments to re-employment in the private sector since the industries that are hiring new employees demand skilled workers. I commend legislators for taking action in this bill to provide for these training needs of unemployed Iowans. The $1.3 million appropriation made in Division XI of Senate File 548 will create a dislocated workers program to provide training and job counseling assistance for those Iowans who have lost their jobs because of plant closings. This program, in combination with the $40 million in the federal Job Training Partnership Act, will help give unemployed Iowans the skills they need to obtain a new job.

This public works program is designed not to train, but only to provide a temporary work experience and some financial assistance to the unemployed. And those needs have also been addressed elsewhere by the legislature.

Those Iowans who cannot find work and have demonstrated financial need are eligible for other public assistance. The legislature appropriately retained the unemployed parent program which provides for basic needs, including medical care and shelter, for the families of the needy who are unemployed. Indeed, the legislature expanded this program to include eligibility for both spouses and provided a community work program for those able to work. A recent survey of states shows that Iowa is one of the nation's leaders in the unemployed parent workfare program, with over 2,000 workers now employed. In short, the unemployed parent workfare program provides basic assistance to the unemployed needy and gives them an opportunity to have a positive work experience. To some extent, the public works program proposed in this bill would only duplicate that existing state program.

In addition, this proposed state public works program duplicates efforts already being made by the federal government. The federal jobs bill provides over $42 million in emergency assistance for projects ranging from tree planting to school building weatherization. Temporary employment will be provided for over 3,000 Iowans. In light of this massive federal effort, the need for a similar state program is questionable.

In sum, needy, out-of-work Iowans require job training and counseling, basic assistance and some work experience. These essential needs have been addressed by other prudent legislative actions taken this year and by the federal government. Therefore, this $3 million public works effort would at least partially duplicate state and federal work programs and does not address the important job training and counseling needs of unemployed Iowans. With the present budget constraints, the state can ill-afford to spend funds is such a misdirected and duplicative fashion.

Division I also includes a provision to pay volunteers. Increasing volunteerism is one of my top priorities. However, I cannot approve this proposal because it could, in fact, hurt the volunteerism effort in Iowa.

Presently, there are at least 30,000 volunteers in Iowa who do everything from caring for the elderly to saving Iowa's rich soil. In addition, the state has over 500 groups that perform volunteer services. And, these services are truly volunteer — they are done without charge.

This program would single out 100 volunteers for a special monthly stipend. I fear that such special treatment could be deemed unfair and thus discourage present and future volunteers.

Moreover, this program is to be administered by a federal agency for which funding has been consistently reduced. In fact, the future of the federal VISTA organization, which is to administer this state program, is in doubt. Therefore, it is likely that the federal agency would be unable to pay its share of the administrative costs of the program. And, the funds the bill provides to the Office for Planning and Programming would be woefully inadequate to allow for the proper administration of the program.

The third portion of Division I provides $100,000 to the Arts Council for grants to artists. Each artist could obtain a $3,000 grant for a public art project. I am a strong supporter of the arts and I am pleased that the legislature supported my request for a 28 percent increase in state funding for the Arts Council. However, that appropriation, combined with the $900,000 grant program for festivals and cultural affairs included in Division XIII of this bill, will significantly increase the state's commitment to the arts and artists. In view of that substantial increase in funding for the arts, additional appropriations would stretch the state's fiscal resources beyond their limits.

Division III of Senate File 548 appropriates $5 million to the Iowa Housing Finance Authority (IHFA) for "capital infusion loans." The program would apparently work like this: a qualified business would apply to the Small Business Administration (SBA) to obtain a loan to finance a proposed expansion under the SBA's 503 loan program; SBA would use its authority to guarantee 40 percent of the loan; IHFA would issue a bond to back 50 percent of the loan, as authorized under recently enacted Senate File 223; and the state would then provide a no-interest "capital infusion" loan for the ten percent of the loan remaining.

The intent of this provision is apparently to make lower interest loans available to qualified businesses. That is a worthwhile goal. However, this proposal would provide little incentive for additional business expansion while costing the strapped state budget $5 million in extra spending.

This $5 million proposal would make very few loans available to businesses that would not already be able to obtain them. The combined SBA/IHFA 90 percent loan guarantee would be quite secure and attractive for prospective lenders. In addition, the guarantee would provide a competitive loan for prospective borrowers. Indeed, it has been estimated that such a loan would carry an interest rate of approximately 10.5 percent — a good commercial rate in today's financial market. Most businesses interested in expansion would find such an interest rate very attractive. Thus, it is likely that these SBA loans would get made without a 10 percent contribution from the state.

Moreover, it is estimated that the state's 10 percent capital infusion would lower the interest rate on these loans by only approximately one percent. A state expenditure of $5 million is a high price to pay in order to reduce by only one percent the interest rate on loans that would probably be made anyway.

It is also important to note that much has been done in another bill passed during the session to aid small businesses seeking debt-financed expansion loans. Senate File 223 doubled the volume of tax-exempt bonds that can be issued to finance small business loans. IHFA will now have $100 million in bonding authority to provide low interest loans to qualified small businesses that are seeking to expand. Loans worth over $10 million have already been made with interest rates as low as seven percent. Thus, IHFA has up to $90 million of remaining lending capacity for low interest, small business loans. I must therefore question the wisdom of a $5 million state appropriation to make similar loans at a potentially higher rate of interest.

Finally, I have concerns about the philosophy behind this and the $3 million mortgage buy-down proposal included in Senate File 548. Both of these programs would, for the first time, make state funds available to IHFA to buy-down interest rates. Never before has this agency received a direct state appropriation for lending programs. Indeed, save for the first-year start-up, even the operating expenses of the authority have been traditionally paid for by IHFA revenues without any state funds. This arms-length arrangement between state government and IHFA has served Iowans well. The tax-exempt bond market has been used to raise the necessary funds and the state budget has been protected. Moreover, this arrangement has helped make certain that IHFA's lending decisions are based on finances and not politics. I am concerned that these proposed appropriations would put even greater pressures on future state budgets as well as placing IHFA directly into the political arena.

Division VI of Senate File 548 appropriates $3 million to IHFA for a residential mortgage interest reduction program. This program was authorized in a separate bill and would require IHFA to reduce interest rates on mortgage loans for up to five years. The amount of the reduction would be between three and five percent the first year, and a lesser amount in succeeding years. Thus, the apparent intent of the program is to induce more Iowans into entering the housing market by offering reduced mortgage interest rates for a short term.

I am generally supportive of efforts to boost the housing market. The housing construction industry has been in a slump the past few years and a recovery in that industry would provide a boost to the entire Iowa economy. However, I cannot approve this proposed mortgage buy-down program because it represents a false promise to many potential home buyers and more cost-effective ways to stimulate the housing industry are available.

This program could help only one of 1,000 Iowa families. Therefore, the program could unfairly raise the expectations of many potential Iowa homebuyers, with little chance of ever realizing those expectations. Moreover, by decreasing the interest rate by a substantial amount the first year and then gradually eliminating that subsidy by the end of five years, this program could tempt some Iowans into entering the home market even though they may not be able to make their home payments once the interest reduction runs out. It would indeed be a cruel hoax for the state to encourage Iowans to buy homes knowing that they may not be able to afford them later.

In addition, it must be noted that the legislature passed other legislation this year which could significantly stimulate the housing market. Senate File 223 eliminates many of the financial restrictions which prevented Iowa home builders from obtaining the financing they needed to offer affordable housing to Iowans. I am hopeful that federal economic policy and Senate File 223 will allow more Iowans to fashion the financial packages they need to purchase a home.

Also, it is my understanding that it is IHFA's intention to re-enter the housing bond market later this year and it is expected that home mortgages at interest rates at approximately two to three percent below the market rate will result. Use of the tax exempt bond market is the traditional and cost-effective way for the state to provide reduced rate home mortgages. In addition, home mortgages obtained through this market provide stable, secure and reasonably priced financing for Iowans looking for a home. Therefore, the state should continue to use the tax exempt bond market, and not the state's general fund, to finance homes for Iowans.

Division VII of Senate File 548 establishes a High Technology Council and appropriates $2.1 million to the council to fund its operations and to begin a research grant program. I commend legislators for wisely recognizing the job-creation potential of high technology industry in Iowa. However, Section 41 of the bill would require the reversion of all unencumbered funds appropriated to the council if the state faces budget problems. I cannot approve that section because it represents a half-hearted commitment to high technology jobs and would cripple the operations of the council.

Much has been said and written about the importance of high technology to our economic future. Indeed, Iowa already has an estimated 35,000 so-called high tech jobs. And, with this state's mix of excellence in education, productive workers and high quality of life, the potential exists to create many more high tech jobs. Such a diversification of the economy is in Iowa's best long term economic interests — it would make Iowa better prepared to weather economic storms in the agricultural and manufacturing sectors.

In order to increase the state's commitment to high tech jobs, a task force appointed by former Governor Ray recommended that a high tech council be established, a grant program be developed to provide financing for research that has potential for commercial application, and a technology transfer effort be undertaken. Fortunately, Division VII of this bill provides for each of those recommendations.

However, the legislature apparently hedged its bet on high tech. This program would be entirely eliminated should the state face a budget problem. Reversion of all the unencumbered funds, which include funds to operate the council, would force Iowa to shut its high tech development doors. If Iowa is serious about high tech jobs, we must maintain a stable, long term commitment to the program. While I, too, regard an across-the-board cut as one of the last resorts in budget-making, I believe that the budget action proposed here would be penny wise and pound foolish. It is, however, likely that the $2 million in research grants will not be expended quickly. Therefore, if state budget troubles mount that portion of the appropriation could be re-examined without crippling the operation of the council.

Division X of Senate File 548 grants the Department of Transportation (DOT) the authority to issue primary road fund revenue bonds. The bill allows DOT to sell $10 million in bonds per year or the difference between actual primary road funds and those that were estimated to be received, whichever is lower. However, additional bonding can be issued upon approval by the legislature of the individual projects for which the bonds are to be used. Initially, $10 million in total bonding authority is authorized. Also, if the bonds are determined to be constitutional, the bonding limit is increased to $110 million.

Apparently, by passing this division, the legislature intended to allow DOT to increase its available road construction finances and to gain a test of the constitutionality of road bonding. However, this division will effectively do neither and, therefore, I must disapprove it.

I support reasonable efforts to provide proper funding for roads in Iowa. I understand the importance of transportation to economic development. However, DOT officials have studied this proposal and have determined that, considering the interest rate on bonds and the level of bonding authorized, this proposal would provide little, if any benefit to the department's road construction plans. The slight increase in available road funding would be offset by the extra interest costs chargeable to the primary road fund. And, considering the additional support needed to manage the bonds, the DOT could come out a net loser with this bonding proposal. Thus, this bonding plan appears to make little road funding sense.

In addition, this division is not likely to obtain even the good court test on the constitutionality of road bonding sought by its proponents. Requiring legislative approval of individual projects could jeopardize the arms length legal relationship required between the bonding authority and those in charge of appropriating from the state's general fund. As a result, a serious question could be raised as to whether the full faith and credit of the state has been pledged to secure the bonds. More important, requiring legislative approval of individual road projects would directly introduce politics into road financing decisions. We have traditionally, and I believe wisely, left such decisions to the DOT which is better able to review each project in light of the transportation needs of the entire state.

Finally, I believe the state is generally better served with a pay-as-you-go transportation funding system. Today, one of our major transportation problems is road maintenance. I fear that a road bonding program would lead to a boom or bust transportation funding system where roads would be built with no funds available in the future to maintain them. Instead, future road use tax revenues would have to be used to pay the interest on the bonds. Such a system of feast or famine transportation funding would not be good for the state's economy and would only exacerbate our road repair problems.

Moreover, it is important to note that substantially more dollars are available for roads in Iowa than just one year ago. The increase in the use tax will funnel over $17.5 million into the road use tax fund. Over $50 million in additional federal dollars are available for road repair and construction this fiscal year. And, the scheduled phase-out in the gasohol road tax subsidy should substantially reduce the dollar drain on the road fund. Indeed, legislators seeking additional road funding would have been wise to consider the adjustment in the gasohol tax that I recommended which would have pumped over $5 million per year more into the road fund. In the future, it would be wise to seek implementation of the Blue Ribbon Task Force on Transportation report which includes methods to save road funds by streamlining the administration of our road system.

In sum, Division X would not substantially increase available road funds, nor is it likely to obtain a good constitutional test of road bonding. Rather, the state would be better served by efficiently managing the additional funds that have been received under the present pay-as-you-go system.

For the above 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 Senate File 548 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

June 2, 1983

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 551, an act relating to and making appropriations to state agencies relating to and for capital projects and certain nonrecurring expenses.

Senate File 551 is approved June 2, 1983, with the following exceptions which I hereby disapprove.

I am unable to approve the items designated in the Act as Section 12, subsection 1, paragraphs i and j, which reads as follows:

i. For moving of the auditor of state's staff and furnishings	$	125,000
j. For moving of the treasurer of state's staff and furnishings	$	125,000

I am unable to approve the item designated in the Act as Section 19 which reads as follows:

Sec. 19. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the Iowa lottery agency, the sum of two million (2,000,000) dollars, or so much thereof as may be necessary, to be used to initiate a state lottery. Notwithstanding section 8.31 the Iowa lottery agency may draw funds as required to initiate the lottery within the limits of the appropriation until the lottery generates sufficient revenue to become self-supporting. The Iowa lottery agency shall reimburse the general fund for the total amount of funds received under this section within sixty days of the date funds are no longer necessary to initiate the lottery or within sixty days of June 30, 1984, whichever is sooner.

Senate File 551 includes two provisions to appropriate $125,000 each to the Auditor and the Treasurer for moving the staff and furnishings of those offices out of the Capitol Building. These provisions requiring the move were included in Senate File 530. I disapproved those provisions for the reasons outlined in a letter accompanying the bill. Since the move is no longer required by law, there is no reason to appropriate $250,000 for that purpose.

This bill also contains a section which appropriates $2 million to the Iowa lottery agency to be used as start-up costs for the state lottery approved by the legislature in House File 634. Since I disapproved House File 634 for reasons stated in a letter accompanying the bill, there is no further reason to make this appropriation.

These actions will save the state $2.25 million in appropriations for fiscal year 1984. These reductions are fiscally prudent since the General Assembly exceeded my spending recommendations by over $12 million.

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 Senate File 551 are hereby approved this date.

Very truly yours,
Terry E. Branstad
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE

June 2, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 538 was published in the Telegraph Herald, Dubuque, Iowa on May 25, 1983 and in the Independence Bulletin-Journal, Independence, Iowa on May 26, 1983.

I further certify that Senate File 547 was published in The Sioux City Journal, Sioux City, Iowa on May 26, 1983 and in The Cedar Rapids Gazette, Cedar Rapids, Iowa on May 25, 1983.

I further certify that Senate File 23 was published in The Sioux City Journal, Sioux City, Iowa on May 26, 1983 and in the Ida County Courier, Ida Grove, Iowa on May 25, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 2, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 546 was published in the Storm Lake Pilot-Tribune, Storm Lake, Iowa on May 18, 1983 and in the Oskaloosa Daily Herald, Oskaloosa, Iowa on May 18, 1983.

I further certify that Senate File 177 was published in the Storm Lake Register, Storm Lake, Iowa on May 21, 1983 and in The Cedar Valley Times, Vinton, Iowa on May 17, 1983.

I further certify that House File 120 was published in The Fonda Times, Fonda, Iowa on April 14, 1983 and in the Buena Vista County Journal, Newell, Iowa on April 14, 1983.

I further certify that Senate File 428 was published without expense to the state in The Bloomfield Democrat, Bloomfield, Iowa on April 21, 1983 and in the Ottumwa Courier, Ottumwa, Iowa on April 23, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 16, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 631 was published in The Hudson Herald, Hudson, Iowa on June 9, 1983 and in The Daily Nonpareil, Council Bluffs, Iowa on June 6, 1983.

I further certify that Senate File 540 was published in the Iowa City Press-Citizen, Iowa City, Iowa on June 2, 1983 and in the Muscatine Journal, Muscatine, Iowa on June 3, 1983.

I further certify that House File 623 was published in the Logan Herald-Observer, Logan, Iowa on June 8, 1983 and in the Globe-Gazette, Mason City, Iowa on June 10, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 17, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 532 was published in the LeMars Daily Sentinel, LeMars, Iowa on June 14, 1983 and in the Waterloo Courier, Waterloo, Iowa on June 13, 1983.

I further certify that House File 313 was published in The Jefferson Bee, Jefferson, Iowa on June 14, 1983 and in the West Des Moines Express, West Des Moines, Iowa on June 9, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 30, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 241 was published in the Quad City Times, Davenport, Iowa on June 20, 1983 and in the Globe-Gazette, Mason City, Iowa on June 16, 1983.

I further certify that Senate File 548, and Governor Terry E. Branstad's item veto message were published in entirety in the Telegraph Herald, Dubuque, Iowa on June 24, 1983, and in The Cedar Valley Times, Vinton, Iowa on June 24, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

July 1, 1983

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 637 was published in the Waterloo Courier, Waterloo, Iowa on June 28, 1983 and in The Sioux City Journal, Sioux City, Iowa on June 28, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

IN MEMORIAM

House

Memorials adopted by the House of Representatives, 1983 Regular Session of the Seventieth 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.

AUGUSTINE, FREDERICK D. . . . . August 21, 1887—July 25, 1982

BREAKENRIDGE, RAYMOND . . August 17, 1897—August 4, 1982

DANCER, DAVID A. . . . . October 7, 1896—October 11, 1982

HALLING, EUGENE E. . . . . May 20, 1895—February 18, 1982

KNIGHT, HAROLD L. . . . . February 10, 1911—July 19, 1982

MILLER, LEROY S. . . . . November 28, 1914—November 5, 1982

PETRICK, GEORGE E. . . . . November 9, 1917—June 26, 1982

ROBINSON, GLENN E. . . . . November 27, 1903—December 5, 1982

ROCKWELL, JOHN B. . . . . July 31, 1911—April 28, 1982

FREDERICK D. AUGUSTINE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Frederick Deforest Augustine, begs leave to submit the following memorial:

Mr. Augustine was born near Orient, Iowa, Adair County on August 21, 1887, where he grew to manhood. He graduated from Orient High School in 1906, attending Drake University afterward. He was united in marriage to Miss Jessie M. Wade in 1912 and moved to Benton, Iowa in 1913 where he was engaged in business. He was a lumber implement dealer at the time of his election. Later he moved to Des Moines and was a parole officer and agent for the Iowa Board of Parole.

He lived in Des Moines for fifty years and was a member of the Highland Park Christian Church, Auburn Masonic Lodge, Auburn Order of Eastern Star 499, and the Des Moines Consistory.

A Democrat, Mr. Augustine was elected and served as Representative from Ringgold County in the Forty-fourth, Forty-fifth and Forty-fifth Extra General Assemblies.

Mr. Augustine died July 25, 1982 in Des Moines, Iowa. He is survived by his wife, Jessie M.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Frederick Deforest Augustine, 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.

HORACE DAGGETT
JAMES J. COOPER
RANDY HUGHES

Committee

RAYMOND BREAKENRIDGE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Raymond Breakenridge, begs leave to submit the following memorial:

Raymond Breakenridge was born on August 17, 1897 to James and Helen Perkins Breakenridge, in Madison County, Iowa. On September 14, 1918 he married Vera Bowen of Chariton, Iowa. They had one daughter, Fern.

Mr. Breakenridge operated his own farm in Madison County which specialized in registered Shorthorn cattle. He was president of the county Shorthorn Breeder's Association, a member of the Farm Bureau, a member of the Farmer's Co-operative Association, a past member of the Farmer's Electric Co-operative Association and County Fair Association, served as a Farm Bureau township director and was an active member of the West Star Methodist Church near Winterset, Iowa.

A Republican, Raymond Breakenridge represented Madison County in the Iowa House during the Fifty-sixth and Fifty-seventh General Assemblies.

Mr. Breakenridge died on August 4, 1982 in Louisiana at the age of 84. He is survived by his wife, Vera, and his daughter, Fern, both of Natchitoches, Louisiana, along with two grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Raymond Breakenridge, 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.

BOB SKOW
PHILIP A. DAVITT
JO ANN ZIMMERMAN

Committee

DAVID A. DANCER

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable David Anderson Dancer, begs leave to submit the following memorial:

Mr. Dancer was born at Lamoni, Iowa, Decatur County, on October 7, 1896. On November 17, 1917, he was united in marriage to Miss Florence Messerli, to which union were born three daughters.

He attended public schools at Lamoni, and served twenty-two months in the army, holding the commission of First Lieutenant. He was a charter member of the Ralph A. Judson post of American Legion at Lamoni, served on the Lamoni City Council for ten years, was a member of the board of directors of the Farmers Grain and Seed Company, was president of the Decatur Farm Bureau and was chairman of the board of the Lamoni Cooperative Creamery Association.

A 1917 graduate of the University of Iowa, he received the school's distinguished service award in 1964. He was a member of the alumni associations at the University of Iowa and Iowa State University. He was named secretary of the Regents, a position he held until 1968. He then served as director of alumni relations for the Des Moines College of Osteopathic Medicine and Surgery for two years. Dancer Hall, a dormitory at the University of Northern Iowa, is named for Mr. Dancer.

A Republican, Mr. Dancer represented Decatur County in the Forty-sixth, Forty-sixth Extra, Forty-seventh, Forty-eighth and Forty-ninth General Assemblies. He served as Speaker Pro Tempore in the Forty-ninth General Assembly.

Mr. Dancer died on October 11, 1982 in Sun City, Arizona. Survivors are his wife, Florence; three daughters, Alice White of Sun City, Arizona, JoAnn Stone, Backus, Minnesota, and Jane Tipken of Austin, Texas; six grandchildren and six great-grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable David Anderson Dancer, 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.

HORACE DAGGETT
JAMES J. COOPER
RANDY HUGHES

Committee

EUGENE E. HALLING

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Eugene E. Halling, begs leave to submit the following memorial:

Eugene E. Halling was born May 20, 1895 in Orient, Iowa. On December 28, 1920, he was united in marriage to Margaret E. Shafar.

Mr. Halling was a graduate of Grinnell College and served in the United States Army during World War I. He served several years on the Hill of Zion Consolidated School Board. He was a deacon emeritus of the Hill of Zion Church and a charter member of the Orient American Legion and Greenfield Barracks 1533 of World War I. He farmed his family's farm in Adair County for about fifty-five years before retiring and moving into Creston in 1975.

A Republican, Mr. Halling represented Adair County in the Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth and Sixtieth General Assemblies. For twenty years he was a precinct committeeman for the Republican Party.

Eugene E. Halling died on February 18, 1982, at Creston, Iowa, at the age of 86. Survivors include his wife, Margaret, of Creston and a sister, Fern Johnston, of Huntington Beach, California. He was preceded in death by two sisters, Annabelle and Faye, and his parents, Mathias E. and Amanda Halling.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Eugene E. Halling 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.

RANDY HUGHES
BOB SKOW
PHILIP A. DAVITT

Committee

HAROLD L. KNIGHT

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Harold L. Knight, begs leave to submit the following memorial:

Mr. Knight was born February 10, 1911, the son of Charles D. and Mary Craven Knight, in Ames, Iowa. He was united in marriage on April 7, 1932 to Fern Bennett, to which union were born three sons.

After graduation from Iowa State University in 1937 as a Dairy Bacteriologist, he moved to Des Moines where he worked for Anderson-Erickson as a cottage cheese maker. In 1947 he moved to Humboldt, Iowa, where he established his own cottage cheese business called Knight's Cottage Cheese.

He was a member of the Methodist Church; past president of the Humboldt Chamber of Commerce; a former director of the First National Bank of Humboldt; and an active Mason, having been a member of the Red Cross of Constantine, the Knight Commander Court of Honor, the Honorary Legion of Honor, the Royal Order of Scotland, and the Order of Eastern Star and White Shrine. He was listed in Who's Who in Commerce and Industry, as well as Who's Who in the Midwest.

A Republican, Mr. Knight represented Humboldt and Pocahontas Counties in the Sixty-second and Sixty-third General Assemblies of the State of Iowa.

Mr. Knight moved to Horseshoe Bend, Arkansas, in 1974 and died July 19, 1982 in Calico Rock, Arkansas. He is survived by his widow, Fern, of Humboldt, Iowa; sons Ray L. of Humboldt, Iowa, Dean L. of Washington, Iowa, and Kent L. of West Columbia, South Carolina; brother, Don, of Richardson, Texas; sister, Mrs. Gladys Spearing, Manly, Iowa; and eight grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Harold L. Knight, 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.

SUE MULLINS
DALE M. COCHRAN
RICHARD GROTH

Committee

LEROY S. MILLER

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Leroy S. Miller, begs leave to submit the following memorial:

Mr. Miller was born November 28, 1914 in Clarinda, Iowa. On February 14, 1935 he was united in marriage to Beulah Mary Otte, to which union two daughters were born.

As a student he was active in 4-H and FFA, and began farming directly out of high school in Page County. While farming, he helped form the Page County Angus Association, for which he served as secretary for many years. In 1946 the family moved to Shenandoah where he opened a farm equipment dealership. During his years as a businessman in Shenandoah he was active in many civic organizations, including: Junior Chamber of Commerce, President; Senior Chamber of Commerce, President; Shenandoah Industries, Executive Secretary; Shenandoah City Council; Yorktown School Board; Rotary International, Board of Directors; Izaak Walton, Board of Directors; Masonic Lodge No. 300; B.P.O. Elks; Order of Eastern Star No. 81; Honorary member of FFA in the Davis-Rodgers chapter in Shenandoah; and Mid-West Implement Dealers Association, Board of Directors. The National Brand Names Award for Implement Dealers was presented to Mr. Miller in 1960. Farm and Power Magazine and Commercial Credit Equipment Corporation honored him for his achievements in the farm equipment industry with special recognition awards. A life membership with the Junior Chamber of Commerce was presented in honor of his service to the organization. The members of the Elks Lodge bestowed Elk of the Year to him in 1962-63. An active member in the First Presbyterian Church, Mr. Miller served on all the governing bodies of the church.

A Republican, Mr. Miller represented Page County in the Sixtieth, Sixty-first, Sixty-second and Sixty-third General Assemblies.

Mr. Miller died November 5, 1982. Surviving him is his wife, Beulah, of Shenandoah; his daughters, Marcia Walker of Mansfield, Texas, and Nancy Carnagey of Shenandoah; seven grandchildren; a sister, Bertha Tomlinson, and a brother, Lyle Miller, both of Clarinda.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Leroy S. Miller, 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.

BILL ROYER
WILLIAM H. HARBOR
HORACE DAGGETT

Committee

GEORGE E. PETRICK

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable George E. Petrick, begs leave to submit the following memorial:

George E. Petrick was born November 9, 1917 in Mt. Vernon, Iowa, son of Frank and Jennie Petrick. He graduated from Mt. Vernon High School in 1935 and married Joanne Lnenicka in 1943, to which union were born four children, two sons and two daughters.

Mr. Petrick farmed in the Mt. Vernon area as well as owning and operating a farm implement business in Mt. Vernon for the past twenty-three years. He served on the Mt. Vernon Chamber of Commerce, the Lisbon-Mt. Vernon Rotary Club, and the Linn County Zoning Commission. He was a member of the Presbyterian Church, Masonic Lodge, Eastern Star, Linn County Farm Bureau, and Iowa Retail Farm Equipment Association.

A Republican, Mr. Petrick was elected to his first term in 1980 to represent House District 25 in the Sixty-ninth General Assembly.

Representative Petrick died June 26, 1982. Survivors include his wife, Joanne, of Mt. Vernon, Iowa; sons, Larry and John of Mt. Vernon, Iowa; daughter Kathryn of Mt. Vernon, Iowa, and daughter Diana of Parker, Colorado; and five grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable George E. Petrick, 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
DAVID OSTERBERG
MYRON B. OXLEY

Committee

GLENN E. ROBINSON

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Glenn Eugene Robinson, begs leave to submit the following memorial:

Glenn Eugene Robinson was born November 27, 1903 in Earlville, Iowa. He graduated from Earlville High School and later from Lenox College in Hopkinton. He was married to Opal Hucker on June 4, 1938. They had no children.

Mr. Robinson was admitted to the bar in 1936 and practiced law in Earlville and Colesburg prior to moving to Manchester, where he practiced for thirty-five years. He was a member of the Iowa Bar Association and the American Bar Association. Mr. Robinson entered the Marine Corps in 1944 and was assigned to the Dutch Advocate Department as orderly to General Court Marshall of the Fifth Naval Reserve District of Norfolk, Virginia.

He was a member of the United Methodist Church and was past commander of the American Legion, past Noble Grand of IOOF, member of Rebekahs, past Patron of the Order of Eastern Star, thirty-second degree Mason, Night Templer, Shriner, past presiding officer of all York Right Bodies, past Worshipful Master of the Manchester Lodge No. 165 AF and AM, one of the founders of the Delaware County Historical Society and was active in many other civic organizations.

A Republican, Mr. Robinson represented Delaware County in the Fiftieth, Fiftieth Extraordinary, Fifty-first, Fifty-second, Fifty-second Extraordinary, Fifty-third, Fifty-fourth and Fifty-fifth General Assemblies.

He died on December 5, 1982 in Rochester, Minnesota. He is survived by his wife, Opal, who resides in Manchester; one brother, Archie Robinson of Delhi; three sisters, Elsie Custer and Alberta Kula of Phoenix, Arizona, and Edna Robinson of Manchester.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Glenn Eugene Robinson, 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.

DARRELL R. HANSON
ANDY McKEAN
PAUL COPENHAVER

Committee

JOHN ROCKWELL

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable John Rockwell, begs leave to submit the following memorial:

John Rockwell was born July 31, 1911 at Wilmette, Illinois. He was a graduate of Lockridge High School and attended Iowa Wesleyan College. He married Eunice Monson in June, 1939, to which union were born four children.

Mr. Rockwell farmed for over fifty years in southern Henry County. He was a member of the Farm Bureau, the Farmer's Union, the First United Methodist Church (serving on its Board of Trustees for several years), worked actively for the United Fund and the Mt. Pleasant Industrial Commission, served as a township trustee, as president of a rural school board and director of the Red Cross and Community Chest.

A Republican, Mr. Rockwell represented Henry County in the Fifty-eighth and Fifty-ninth General Assemblies.

He died April 28, 1982 and is survived by his wife, Eunice, and two sons and two daughters: John of Champlin, Minnesota, William of Mt. Pleasant, Iowa, Mary of Mt. Pleasant, Iowa, and Susan of Randolph, Vermont. Also surviving is his brother, Mathew Rockwell, of Winneta, Illinois.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable John Rockwell, 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.

BRIAN CARTER
VIRGIL E. COREY
WILLIAM R. SULLIVAN

Committee

GENERAL INDEX

ADDRESSED THE HOUSE—
(See also Joint Convention and/or Special Presentation)
Linda Simon, Miss Iowa—1095-1096
Mrs. Mary Jane Odell, Secretary of State and State Easter Seal Chair—491
Shelly Elmore, 1983 Iowa's Junior Miss—903
The Honorable Dale M. Cochran—14-15
The Honorable Delwyn Stromer, Minority Floor Leader—8
The Honorable Donald D. Avenson, Speaker of the House—9-12
The Honorable Dr. Sean McCarthy, T.D., House of Parliament, Cashel, County Tipperary Ireland—734
The Honorable John H. Connors, Speaker pro tempore—15-16
The Honorable Joyce Lonergan—6-7
The Honorable Lester D. Menke—7-8
The Honorable Lowell E. Norland, Majority Floor Leader—6
The Honorable Ned F. Chiodo—13-14
The Honorable Roger A. Halvorson, Assistant Minority Floor Leader—15

AGING, COMMISSION ON—
Communication from—43

AGRICULTURE, COMMITTEE ON—
Amendments filed—286, 471, 490, 556, 672, 1208
Amendments offered—691, 720, 723, 807, 1333
Amendments withdrawn—437
Appointed—24
Bills introduced—688, 742, 758, 759, 852, 893, 895
Recommendations—285, 380, 470, 489, 555, 671, 714, 748, 764, 818, 890, 1049, 1207
Resolutions offered—757
Subcommittee assignments—143, 144, 249, 251, 335, 336, 452, 453, 528, 529, 705, 707, 708, 709, 813, 1161

AMENDMENTS—
(Also see Bills and/or individual listings)
Filed—105, 187-188, 207, 240, 265, 277, 286, 342, 352, 367, 382, 397, 410-411, 426, 434, 457, 471, 490, 509, 534, 546, 556-558, 594, 621, 642, 651, 672-673, 683, 716, 732, 741, 753, 769, 822-824, 850, 866, 873-874, 890-891, 899-900, 934, 963, 979-981, 1050-1051, 1091-1092, 1111-1112, 1126-1127, 1208-1210, 1252-1253, 1289-1290, 1347-1348, 1387-1388, 1419-1421, 1489-1490, 1532, 1561-1562, 1572, 1633, 1662-1664, 1689-1692, 1716-1717, 1767-1769, 1793-1794, 1847, 1918, 1970, 2010-2011, 2123, 2156, 2255-2452
Senate—534, 934, 1091, 1289, 1387, 1388, 1419, 1532, 1561, 1633, 1662, 1663, 1691, 1793, 1794, 1918, 1970, 2010, 2011, 2123, 2156

ANDERSON, JAMES O.—Representative **Audubon**-Carroll-Shelby Counties
Amendments filed—296-297, 298-299, 328, 367, 397, 434, 823, 824, 1092, 1252, 1420, 1663, 1664, 1689, 1690, 1691-1692, 1717, 1768, 1804-1805, 1806, 1807, 1994, 1995, 2010-2011
Amendments offered—440, 1804, 1806

Amendments withdrawn—1114
Appointed to the Iowa Boundary Commission—896
Bills introduced—222, 287, 288, 385, 413, 460, 473, 513-514, 825-826
Committee appointments—23, 24, 26, 78
Leave of absence—717
Petitions presented—1491, 1563, 1573
Resolutions offered—407-408, 408, 729, 2131
Subcommittee appointments—27
Subcommittee assignments—249, 250, 251, 335, 392, 452, 617, 705, 813, 815, 1046

APPOINTMENTS—
Capitol Planning Commission, Representative Black—269
Capitol Planning Commission, Representatives Black & Tofte—1713
Communications Review Committee, Representatives Koenigs, Hummel & Renaud—889
Confidential Records Council, Representatives Corey & Varn—865
Energy Policy Council, Representatives Mullins & Rosenberg—261
Iowa Advisory Commission on Intergovernmental Relations, Representative Buhr—526
Iowa Advisory Commission on Intergovernmental Relations, Representative Renken—506
Iowa Boundary Commission, Representatives Anderson & Pavich—896
Legislative Council 1983-1984, Representatives Avenson, Cochran, Connors, Hoffmann-Bright, Jochum, Lloyd-Jones, Menke, Norland, Stromer & Welden—226
Legislative Fiscal Committee, Representatives Doderer, Jochum, Norland, Schnekloth & Welden—226

APPROPRIATIONS, COMMITTEE ON—
Amendments filed—866, 890, 891, 934, 1091, 1769, 1793, 1918, 2010, 2047, 2048
Amendments offered—943, 955, 1001, 1359, 1811, 1867, 1977, 2023, 2059, 2063, 2071
Appointed—24
Bills introduced—334, 353, 385, 1053, 1211, 1350, 1534, 1635, 1727, 1770, 1788, 1965, 1966
Recommendations—340-341, 397, 819, 864-865, 890, 932-933, 1091, 1163, 1346, 1532, 1632, 1716, 1765-1766, 1791, 1917, 1968, 2008, 2044
Resolutions offered—930-931
Subcommittee assignments—340-341, 896, 897

APPROPRIATIONS, SUBCOMMITTEES—
Appointed—26-27

ARNOULD, ROBERT C.—Representative Scott County, Assistant Majority Floor Leader
Amendments filed—411, 420-421, 866, 1193, 1561, 1768, 1794, 1929, 2010, 2038
Amendments offered—1190, 2038
Bills introduced—123, 147, 190, 235, 242, 492, 493, 552, 596, 654, 655, 893
Committee appointments—24, 26, 47, 2118, 2138
Presided at sessions of the House—89, 945, 1032, 1100, 1754
Reports—2197-2199, 2234-2236

Resolutions offered—216-217, 729, 745-746, 2014-2015, 2133-2135
Rulings made—948
Subcommittee appointments—27
Subcommittee assignments—143, 335, 393, 530, 702, 703, 704, 706, 707, 708, 814, 896, 897, 898, 1047, 1160, 1161, 1531, 1686, 1687, 1915, 1916, 2246, 2247

ASSISTANT MAJORITY FLOOR LEADERS—
Robert C. Arnould, Representative **Scott** County
(See Arnould, Robert C.—Representative **Scott** County, Assistant Majority Floor Leader)
Philip A. Davitt, Representative **Warren** County
(See Davitt, Philip A.—Representative **Warren** County, Assistant Majority Floor Leader)
Rod Halvorson, Representative **Webster** County
(See Halvorson, Rod—Representative **Webster** County, Assistant Majority Floor Leader)
Jean Lloyd-Jones, Representative **Johnson** County
(See Lloyd-Jones, Jean—Representative **Johnson** County, Assistant Majority Floor Leader)

ASSISTANT MINORITY FLOOR LEADERS—
Wayne Bennett, Representative **Ida**-Monona-Woodbury Counties
(See Bennett, Wayne—Representative **Ida**-Monona-Woodbury Counties, Assistant Minority Floor Leader)
Dorothy F. Carpenter, Representative **Polk** County
(See Carpenter, Dorothy F.—Representative **Polk** County, Assistant Minority Floor Leader)
Roger A. Halvorson, Representative Allamakee-**Clayton** Counties
(See Halvorson, Roger A.—Representative Allamakee-**Clayton** Counties, Assistant Minority Floor Leader)
Betty Hoffmann-Bright, Representative Louisa-**Muscatine** Counties
(See Hoffmann-Bright, Betty—Representative Louisa-**Muscatine** Counties, Assistant Minority Floor Leader)

AVENSON, DONALD D.—
(See Speaker of the House—Donald D. Avenson, Representative Chickasaw-**Fayette** Counties)

BAXTER, ELAINE—Representative **Des Moines** County
Amendments filed—509, 672, 823, 934, 1092, 1169, 1572, 1691-1692, 1717, 1768
Bills introduced—154, 220, 235, 354, 384, 414, 459, 511, 551, 893
Committee appointments—24, 25, 130, 2037
Leave of absence—501, 1399, 1820, 2071, 2124, 2171
Presided at sessions of the House—2021, 2028
Reports—2060-2062
Resolutions offered—216-217, 745-746, 1688-1689, 1866
Subcommittee appointments—27
Subcommittee assignments—248, 335, 454, 527, 814

BECAME LAW BY PUBLICATION—
House File 68—846-847
House File 120—2517
House File 184—1343-1344
House File 241—2517
House File 313—2517
House File 532—2517
House File 533—2007
House File 587—2007
House File 623—2517
House File 631—2517
House File 637—2519
House Joint Resolution 1—589
Senate File 15—1343-1344
Senate File 23—2517
Senate File 51—1845
Senate File 90—2154
Senate File 177—2517
Senate File 184—423
Senate File 207—1044-1045, 1090
Senate File 220—729
Senate File 267—2007
Senate File 334—2007
Senate File 369—1685
Senate File 428—1660, 2517
Senate File 434—2121-2122
Senate File 440—1158-1159
Senate File 503—2007
Senate File 538—2516
Senate File 540—2517
Senate File 546—2517
Senate File 547—2516
Senate File 548—2517

BENNETT, WAYNE—Representative **Ida**-Monona-Woodbury Counties, Assistant Minority Floor Leader
Amendments filed—88-89, 300, 311, 315-316, 426, 546, 594, 824, 844, 850, 891, 899, 934, 963, 980, 1092, 1621, 1649, 1653-1654, 1689, 1690, 1691, 1709, 1717, 1994
Amendments offered—601, 955, 1029, 1080, 1187, 1621, 1709, 1746
Amendments withdrawn—439
Bills introduced—58, 148, 149, 155, 512, 825-826
Committee appointments—23, 26, 1516
Petitions presented—1389, 1491, 1795
Resolutions offered—1866, 2131
Subcommittee appointments—27
Subcommittee assignments—217, 249, 250, 251, 391, 392, 452, 529, 813, 1045, 1046

BILLS—
(Action on House Joint Resolutions, House Files, Senate Joint Resolutions and Senate Files in Legislative Index Volume)

Amendments not otherwise printed during session—2255-2452
Approved—364, 431, 545, 588, 639, 731, 846, 931-932, 961, 1090, 1205, 1343, 1385, 1529, 1558-1559, 1570-1571, 1659, 1684, 1713-1714, 1764, 1845, 1913-1914, 2005-2006, 2043, 2153-2154, 2245
Approved after session—2463-2471
Deferred—261, 406, 407, 523, 540, 626, 632-633, 828, 832, 837, 854, 895, 957, 1005, 1011, 1058, 1085, 1106, 1136, 1185, 1258, 1296, 1316, 1364, 1383, 1493, 1672-1673, 1694, 1796, 1873, 1876, 1878, 1982, 2068
Immediate consideration—77-78
Introduction of—57-60, 123-126, 147-149, 154-156, 189-191, 220-223, 231-232, 235-236, 278, 281, 287-289, 333-334, 343-344, 358-359, 372-373, 383-386, 399-400, 412-414, 427-428, 435, 447-448, 458-462, 472-475, 492-493, 495, 510-514, 542-543, 547-552, 595-598, 622, 644-647, 652-656, 659, 674-675, 684-689, 717, 727-728, 733-734, 735-736, 754, 758-759, 760-761, 791-793, 825-828, 839, 851-853, 867-868, 875-877, 892-893, 895, 901-902, 935-936, 968-969, 1003-1004, 1053, 1093, 1157, 1211, 1286-1287, 1292-1293, 1350, 1390-1391, 1492, 1534, 1568, 1589-1590, 1635, 1658-1659, 1727, 1763, 1770, 1788, 1796, 1844, 1919, 1920, 1924, 1964-1965, 1975, 2022, 2124
Item veto messages—2478-2516
Item vetoed after session—2464, 2465, 2468, 2469, 2470
Passed on file—388, 746
Referred to committees—603, 665, 895, 957, 1096
Rereferred to committees—261, 281, 614, 668, 700, 729, 791, 811, 854, 880, 931, 941, 960, 1096, 1158, 1181-1182, 1552, 1662
Sent to Governor—408-409, 506, 588, 889, 1044, 1206, 1559, 1571, 1685, 1764, 1914, 2006, 2153, 2248
Veto messages—2471-2477
Vetoed after session—2464, 2467
Withdrawn—344, 406, 464, 482, 622, 698, 856, 880, 959, 1005, 1042, 1130, 1141, 1155, 1156, 1157, 1174, 1212, 1245, 1364, 1378, 1499, 1965, 2004, 2050, 2071, 2120, 2149, 2201, 2206

BLACK, DENNIS H.—Representative **Jasper**-Marshall Counties
Amendments filed—457, 1208, 1523-1524, 1561, 1691-1692, 1768, 1778-1779, 2010-2011, 2039-2041, 2110
Amendments offered—478, 985, 1523, 1778, 2110
Appointed to the Capitol Planning Commission—269, 1713
Bills introduced—147, 428, 460, 462, 472, 492, 596, 654
Change of vote requested—1376
Committee appointments—24, 25, 78, 1763, 2005
Leave of absence—298
Petitions presented—1848
Presented to the House foreign exchange student, Ahmed Wahdam, Cairo, Egypt—1631
Presided at sessions of the House—1859
Reports—2144-2146, 2150
Resolutions offered—216-217, 526, 745-746, 2131
Subcommittee appointments—27
Subcommittee assignments—250, 335, 336, 392, 451, 454, 528, 530, 616, 703, 705, 707

BLANSHAN, EUGENE—Representative Boone-Carroll-**Greene** Counties
Amendments filed—490, 557, 741, 934, 1208, 1691-1692, 1717, 1768, 1817, 2010-2011, 2039-2041
Amendments offered—1228, 2039
Bills introduced—147, 259, 354, 428, 472, 513, 513-514, 893, 1390-1391
Committee appointments—23, 24, 25, 26, 600, 2118
Leave of absence—622
Petitions presented—1563, 1665, 1718
Presented to the House the Honorable C. Raymond Fisher, former member of the House—962
Presided at sessions of the House—1670, 1811, 2088
Reports—2197-2199
Resolutions offered—216-217, 448-449, 729, 745-746, 1688-1689, 2131
Rulings made—1817
Subcommittee appointments—27
Subcommittee assignments—143, 249, 527, 529, 531, 706, 708, 899, 1047, 1162

BOARDS, COMMISSIONS, COMMITTEES AND/OR COUNCILS—
(See Appointments and/or Communications, subheading Reports and/or individual headings)

BRAMMER, PHILIP E.—Representative **Linn** County
Amendments filed—769, 842-843, 890, 1543-1544, 1652, 1768
Amendments offered—842, 1240, 1800
Bills introduced—191, 235, 356, 368, 473, 485, 512, 513, 549, 645, 654, 1286
Committee appointments—24, 25, 26
Leave of absence—595, 1258, 1291, 1349
Petitions presented—652, 684, 851, 1052, 1389
Resolutions offered—216-217, 745-746
Subcommittee appointments—26
Subcommittee assignments—143, 217, 249, 251, 391, 393, 527, 529, 530, 531, 615, 617, 702, 815, 898, 1045, 1046, 1048, 1160

BRANSTAD, CLIFFORD O.—Representative Hancock-Kossuth-**Winnebago** Counties
Amendments filed—88-89, 203, 328, 434, 565, 824, 891, 1017-1020, 1092, 1252, 1408-1411, 1420, 1561, 1617-1619, 1656, 1663, 1689-1690, 1690, 1690-1691, 1691, 1717, 1794, 1833-1834, 1929, 1970, 2010
Amendments offered—925
Bills introduced—125, 191, 241, 242, 259, 268, 287, 288, 385, 511, 512, 733, 825-826
Committee appointments—24, 25, 133
Leave of absence—1701
Petitions presented—547, 559, 1533
Presided at sessions of the House—1953
Reports—134
Resolutions offered—408, 526, 1204-1205, 1212-1213, 1973-1974
Subcommittee appointments—27
Subcommittee assignments—249, 336, 391, 392, 453, 529, 530, 615, 705, 896, 897, 1045, 1161, 1686, 1687, 1915, 1916, 2246, 2247

BRANSTAD, GOVERNOR TERRY E.—
(See Governor Branstad, Terry E.)

BUDGET MESSAGE—
Delivered by Governor Terry E. Branstad—209-215
Resolution relating to, HCR 5—97, 106 adopted

BUHR, FLORENCE D.—Representative **Polk** County
Amendments filed—1051, 1111, 1290, 1489, 1561, 1652, 2010
Amendments withdrawn—1331
Appointed to the Iowa Advisory Commission on Intergovernmental Relations—526
Bills introduced—235, 236, 459, 547, 549, 654, 893
Committee appointments—24, 25, 26, 2118, 2206, 2249
Petitions presented—1563, 1770, 1795
Presided at sessions of the House—1653, 1832, 2080
Reports—2206
Resolutions offered—216-217, 468-469, 745-746, 1688-1689, 1973-1974
Subcommittee appointments—27
Subcommittee assignments—143, 218, 250, 252, 334, 391, 527, 529, 531, 702, 704, 705, 706, 707, 812, 814, 897, 898, 1160

CANVASS OF VOTES—
Certification—2-4
For Governor and Lieutenant Governor—55, 131
Report of tellers—131-132
Resolution relating to, HCR 1—13 adopted
Tellers and judges of—55

CAPITOL PLANNING COMMISSION—
Appointments to—269, 1713

CARL, JANET A.—Representative Iowa-**Poweshiek** Counties
Amendments filed—434, 1111, 1663, 1664, 1794, 1837, 1840, 1842, 2033-2034, 2047
Amendments offered—1144, 1146, 1724, 1837, 1840, 1842, 1977, 2033
Amendments withdrawn—1758, 1842
Bills introduced—231, 235, 383-384, 384, 458, 459, 485, 492-493, 511, 513, 547-548, 548, 597, 893
Committee appointments—2, 24, 26
Leave of absence—1128
Presided at sessions of the House—501, 1275
Reports—2-4
Resolutions offered—216-217, 408, 526, 745-746, 1688-1689, 1973-1974, 2131, 2133-2135
Subcommittee appointments—27
Subcommittee assignments—391, 527, 528, 702, 703, 705, 706, 897, 1047, 1048

CARPENTER, DOROTHY F.—Representative **Polk** County, Assistant Minority Floor Leader
Amendments filed—71, 72, 74-75, 88-89, 187, 203, 243, 315-316, 557, 769, 802, 823, 824, 886, 891, 900, 934, 980, 1092, 1112, 1127, 1169, 1186-1187, 1208, 1421, 1543-1544, 1561-1562, 1562, 1689, 1691-1692, 1717, 1949, 1986, 2010

Amendments offered—199, 243, 315, 886, 1001, 1186, 1192, 1199, 1986
Bills introduced—148, 235, 236, 485, 492, 549, 893
Committee appointments—24, 25, 26, 1042, 2005
Leave of absence—798
Petition presented—1349
Presented to the House the Honorable Jim Johnson, former member of the House—507
Presented to the House the Honorable Virginia Poffenberger, former member of the House—1660
Reports—2207-2213
Resolutions offered—216-217, 468-469, 1688-1689, 2014-2015
Subcommittee appointments—27
Subcommittee assignments—143, 144, 217, 218, 334, 391, 393, 527, 528, 529, 530, 531, 616, 617, 813, 815, 1047, 1048, 1346, 1686, 1687

CARTER, BRIAN—Representative Des Moines-Henry Counties
Amendments filed—244, 286, 850, 1561, 1768, 2010
Amendments offered—244, 360, 943, 2059, 2071
Amendments withdrawn—244
Bills introduced—147, 235, 266, 268, 368, 368-369, 384, 414, 493, 728, 853
Committee appointments—19, 23, 24, 387
Leave of absence—1534
Presented to the House the Honorable Charles Strothman, former member of House—1529
Presided at sessions of the House—1833
Resolutions offered—216-217, 386-387, 448-449, 468-469, 745-746, 1973-1974, 2131
Subcommittee appointments—26
Subcommittee assignments—144, 217, 251, 335, 336, 452, 453, 529, 616, 705, 708, 813, 896, 897, 1161

CERTIFICATES OF ELECTION—
Of Governor, Terry E. Branstad—132
Of Lieutenant Governor, Robert T. Anderson—133

CERTIFICATES OF RECOGNITION—
Alton, Town of, centennial—2254
Ames Senior High School Chess Team, chess championship—1968
Ann Oldorf, outstanding student, Prairie High School, Cedar Rapids—1967
Burlington, City of, 150th anniversary—1967
Christian Home Association, Council Bluffs, centennial—545
Davis County Community Schools boys basketball team—932
Dr. Sean McCarty, T.D., Parliament of Ireland—849
Gravity, Community of, centennial—1716
Hartley-Melvin girls basketball team—932
Hinton, City of, centennial—2254
Jeno M. Berta, Davenport, Eagle Scout Award—1716
Jolley, Town of, centennial—1968
LaSalle High School boys football team, Cedar Rapids—642
Marsha Yokas, Oelwein, won Drake Relays Marathon, Women's Division—1968

Maurice-Orange City Community School District—1386
Members of Iowa's Civilian Conservation Corps—1386
Michael Back, Primghar, Eagle Scout Award—176
Northwestern College, Orange City, centennial—2254
Oelwein Huskies basketball team—932
Packwood, Community of, centennial—1716
Regina McGill, Bettendorf, physical education teacher—1716
Scott Boone, Hartley, Eagle Scout Award—1716
Schaller, Town of, centennial—1968
Shelly Elmore, Iowa's Junior Miss—932
State Trooper Donald C. Woods, retirement—1968
Sutherland High School Jazz Band—1716
Tingley, Community of, centennial—1716
Trojanettes girls basketball team, Fairfield—849
West Central of Maynard Blue Devilettes basketball team—932
William Bird, Independence—545

CHAPLAINS—
Committee on, appointed—17
Compensation, resolution relating to, SCR 3—79-93, 94 adopted
Resolution relating to, HR 1—17 adopted

CHAPMAN, KAY—Representative **Linn** County
Amendments filed—934, 1099-1100, 1101, 1102-1103, 1103, 1209, 1253, 1348, 1420, 1532, 1543-1544, 1561, 1627-1628, 1768, 1794, 2047, 2048, 2072-2073, 2073-2074
Amendments offered—626, 1277, 1280, 1281, 1334, 1398, 2072, 2073, 2077
Amendments withdrawn—1296, 1398
Bills introduced—190, 235, 236, 267, 356, 368, 369, 459, 656, 687, 893, 1763
Committee appointments—24, 25, 26, 157
Leave of absence—343, 570, 602, 717, 968
Resolutions offered—216-217, 448-449, 526, 553, 1688-1689, 2013-2014, 2131, 2133-2135
Subcommittee appointments—27, 244-245
Subcommittee assignments—143, 392, 393, 453, 530, 531, 615, 616, 617, 702, 703, 704, 706, 707, 708, 709, 812, 814, 898, 899, 1047, 1048, 1160, 1162

CHIEF CLERK OF THE HOUSE, Joseph O'Hern
Communications received and on file—40, 43-44, 105, 107, 119-120, 129, 143, 149, 151-153, 184-185, 206, 261-262, 262, 269, 283, 334, 350, 364-365, 377, 423-424, 432, 449-450, 545, 640, 847, 870-871, 896, 961, 1044-1045, 1091, 1288, 1343-1344, 1418, 1571, 1845, 1846, 2155
Elected acting Chief Clerk—1
Elected permanent Chief Clerk—333
Reports:
Canvass of vote—131
Certificates of recognition—545, 642, 849, 932, 1386, 1716, 1967-1968, 2254
Committee recommendations—76, 153, 186-187, 234, 239-240, 256-257, 264-265, 265, 276-277, 285-286, 340-341, 351-352, 366, 380-382, 397, 410, 425-426, 433-434, 456-457, 469-471, 482-483, 489-490, 533-534, 545-546, 555-556, 592-594, 620, 642, 649-650, 670-672, 682-683, 714-716, 731-732, 738-741,

764-768, 818-822, 849-850, 865-866, 872-873, 889-890, 932-933, 962, 978-979, 1049-1050, 1091, 1109-1111, 1123-1126, 1162-1168, 1206-1207, 1288-1289, 1346-1347, 1386-1387, 1488-1489, 1532, 1560-1561, 1632-1633, 1661-1662, 1716, 1765-1767, 1790-1793, 1916-1918, 1968-1970, 2008-2009, 2043-2046, 2050-2051, 2122-2123
Conference committee reports filed—1287, 1878-1879, 2152-2153
Enrolled bills—408-409, 506, 588, 889, 1044, 1206, 1559, 1571, 1685, 1764 1914, 2006, 2153, 2248
Resolutions relating to:
House Concurrent Resolution 24—1212-1213, 1286 adopted
House Resolution 2—17 adopted
Senate Concurrent Resolution 1—56-57 adopted
Senate Concurrent Resolution 3—79-93, 94 adopted
Senate Concurrent Resolution 37—1850-1851, 1973 adopted
Took oath of office—1, 333

CHIEF JUSTICE OF THE SUPREME COURT, The Honorable W. W. Reynoldson
(See Supreme Court of Iowa)

CHIODO, NED F.—Representative **Polk** County
Amendments filed—207, 557, 558, 565, 568-569, 586, 890, 934, 947, 1092, 1209, 1253, 1273-1274, 1275, 1283, 1532, 1617-1619, 1624, 1663, 1664, 1684, 1690, 1691, 1717, 1760, 1761, 1768, 1809, 1847, 1962-1963, 1996-1998, 2086-2087, 2087, 2123, 2156
Amendments offered—224, 564, 567, 568, 946, 1098, 1258, 1273, 1275, 1283, 1284, 1617, 1624, 1684, 1724, 1757, 1760, 1761, 1809, 1927, 1962, 2086
Amendments withdrawn—1683, 1757, 1785, 1963, 2160
Bills introduced—57, 147, 148, 232, 513, 653, 728, 969
Committee appointments—24, 25, 26, 2028
Leave of absence—1114, 1424
Presided at sessions of the House—843, 1783
Remarks by—13-14
Reports—2214-2225
Resolutions offered—279, 1567, 1866, 1912-1913
Subcommittee appointments—27
Subcommittee assignments—218, 250, 251, 391, 452, 529, 703, 705, 707, 812, 813, 815, 896, 1160, 1162, 1345, 1531, 1916, 2246, 2247

CLAIMS—
(See Claims Filed)
(See Comptroller)
(See Judiciary Committee)
(See State Appeal Board)

CLAIMS FILED—
(See also Comptroller of Iowa)
(See also State Appeal Board)
Claims approved—107-119, 847
Claims disapproved—119-123, 449-450, 870-871, 1418-1419
Claims filed—107-119, 119-123, 449-450, 847, 870-871, 1418-1419
Communications from State Appeal Board—119-123, 449-450, 847, 870-871, 1418-1419
Communications from State Comptroller—107-119

CLARK, BETTY JEAN—Representative **Cerro Gordo**-Floyd-Mitchell Counties
Amendments filed—187, 244, 342, 411, 418, 498, 824, 900, 980, 1420, 1462, 1543-1544, 1561, 1627-1628, 1691-1692, 1717, 1768, 1794, 1993, 2011, 2039-2041, 2047, 2112-2114, 2156
Amendments offered—498, 1337, 1834, 2110, 2112, 2114, 2167
Amendments withdrawn—1142, 2108, 2114
Bills introduced—57, 58, 59, 60, 148, 235, 236, 368-369, 414, 459, 473, 475, 492, 492-493, 493, 687, 893, 1003, 1763
Committee appointments—24, 26, 600, 1670
Leave of absence—901, 1586, 1866, 2117
Presided at sessions of the House—403
Reports—2084-2085
Resolutions offered—216-217, 526, 745-746, 1688-1689, 2013-2014, 2014
Subcommittee appointments—27, 244-245
Subcommittee assignments—143, 218, 251, 252, 393, 453, 454, 528, 529, 530, 531, 617, 706, 813, 814, 815, 898, 899, 1046, 1162

COCHRAN, DALE M.—Representative Hamilton-**Webster** Counties
Amendments filed—202, 367, 558, 769, 823, 934, 1193, 1408-1411, 1523-1524, 1561, 1572, 1664, 1691-1692, 1717, 1768, 2010-2011, 2156
Amendments offered—202, 787, 1193, 1233, 1584, 1749, 2166
Appointed to the Legislative Council—226
Bills introduced—147, 155, 221, 222, 231, 235, 236, 288, 384, 412, 413, 462, 511, 512, 596, 826, 852, 867-868, 893, 1003
Committee appointments—23, 26, 401, 2005
Elected Temporary Speaker—1
Leave of absence—1322, 1544
Petitions presented—595, 1491
Presented to the House the Honorable Harold Houston, former member of the House—701
Presided at sessions of the House—1, 318
Remarks by—14-15
Resolutions offered—216-217, 448-449, 729, 1212-1213, 1418, 2067-2068, 2131
Rulings made—318, 327
Subcommittee appointments—27
Subcommittee assignments—250, 335, 392, 452, 453, 709, 812, 815, 1046, 1048, 1687

COMMISSIONS, COMMITTEES, BOARDS AND/OR COUNCILS—
(See Appointments and/or Communications, subheading Reports and/or individual headings)

COMMITTEE RECOMMENDATIONS—
Agriculture—285, 380, 470, 489, 555, 671, 714, 748, 764, 818, 890, 1049, 1207
Appropriations—340, 397, 819, 865-866, 890, 933, 1091, 1163, 1346, 1532, 1632, 1716, 1766, 1791, 1917, 1968, 2008, 2044
Education—239-240, 264-265, 276, 341, 456, 483, 508, 683, 738, 764-765, 819, 962, 978-979, 1163
Energy—380, 489, 714-715, 749, 819

Ethics—276
Finance—240, 276, 285, 351-352, 366, 425-426, 470, 546-547, 642, 671, 738-739, 866, 872-873, 933, 962, 1049, 1109-1110, 1346-1347, 1386-1387, 1488-1489, 1560-1561, 1633, 1661, 1766-1767, 1791-1792, 1917, 1969-1970, 2008-2009, 2046, 2050-2051
Human Resources—277, 366, 410, 433, 456, 593, 683, 739, 765-766, 979, 1123-1124, 1163
Judiciary and Law Enforcement—256, 285, 380-381, 433, 489, 533-534, 555, 731-732, 749-750, 766, 820-821, 849-850, 1049, 1124, 1163-1165, 1207, 1968, 2009, 2122-2123
Labor and Industrial Relations—489, 556, 715, 750-751, 1049, 1207
Local Government—153, 256, 381-382, 410, 433-434, 470-471, 534, 556, 671-672, 715, 751, 821, 1050, 1124-1125, 1165-1166, 1207
Natural Resources—234, 426, 508, 593, 650, 739, 766-767, 979, 1125, 1166
Rules and Administration—76, 186
Small Business and Commerce—186-187, 341, 456-457, 483, 650, 739-740, 767, 873, 979, 1125, 1166
State Government—256-257, 434, 490, 556, 672, 715, 752-753, 822, 979, 1050, 1110, 1125-1126, 1166-1167, 2123
Transportation—277, 341, 483, 508, 594, 620, 650, 683, 740-741, 767-768, 1126, 1167-1168, 1661
Ways and Means—240, 265, 285-286, 397, 426, 457, 509, 620, 715-716, 768, 1050, 1110-1111, 1288-1289, 1347, 1489, 1633, 1661-1662, 1793, 1917-1918, 2044-2045

COMMITTEES, COMMISSIONS, BOARDS AND/OR COUNCILS—
(See Appointments and/or Communications, subheading Reports and/or individual headings)

COMMITTEES, SPECIAL—
Appointments—8-9, 12, 13, 15, 19, 46, 47, 130, 133, 156, 157, 208, 209, 1515, 1515-1516, 2249
Arrange for Inauguration, SCR 2—78 adopted
Escort Justices of the Supreme Court and Judges of the Court of Appeals—47, 157, 209
Escort Pioneer Lawmakers—1516
Escort Speaker of the House, Donald D. Avenson—9
Escort Speaker Pro Tempore, John H. Connors—15
Escorted to the Speaker's station, the Parliamentarian of the Senate—1515
From Senate—12, 2249
Notify and escort Chief Justice W. W. Reynoldson—157, 164
Notify and escort Governor Branstad—134, 209, 215, 2249
Notify and escort Governor Ray—12, 47, 55, 134
Notify and escort President of the Senate—19, 46, 157, 208
Notify and escort President pro tempore of the Senate—130
Notify and escort Secretary of the Senate—19, 46, 130, 157, 208
Notify Senate—13, 19, 46, 130, 156, 208, 1515, 2249
Reports—16, 19, 46, 130, 134, 156, 208, 1515, 2249

COMMUNICATIONS FROM—
Appeal Board, State, claims—119-120, 449-450, 847, 870-871, 1418-1419
Arizona, State of, House Concurrent Memorial Resolution 2004—152

Arkansas, State of, House Joint Resolution 9—961
Arkansas, State of, House Joint Resolution 10—1091
California, State of, Senate Joint Resolution 67 & House Resolution 41—152
Chief Justice of the Supreme Court—Rules of Civil Procedure, Rules of Criminal Procedure, Rules of Juvenile Procedure & Rules of Appellate Procedure—149
Comptroller, claims—107
Georgia, State of, Senate Resolution 275—152
Governor, Office of—261-262, 269
Governor, Robert D. Ray—150-151
Hawaii, State of, Senate Resolution 65 & 103—152
Idaho, State of, House Concurrent Resolution 31—152
Louisiana, State of, House Concurrent Resolution 23 & 230—152
Massachusetts, Commonwealth of, relating to Captive Nations Week, 1982—153
Reports:
- Aging, Commission on—43
- Auditor, State—1846
- Beer and Liquor Control Department—262
- Citizens' Aide/Ombudsman—151, 2155
- Civil Rights Commission—640
- Compensation, Expenses, and Salaries of Elected State Officials, Commission on—334
- Energy Policy Council—896
- Environmental Quality, Department of—1571
- Geological Survey—143
- Governor, Office of—152
- Health, Department of—151
- Industrial Commissioner—1091
- Interagency Coordinating Council on Radiation Safety—283
- Interstate Cooperation, Commission on—1288
- Job Service, Department of—43
- Labor, Bureau of—350
- Legislative Council—262
- Mental Health and Mental Retardation Commission—1572
- Merit Employment Department—206
- Planning and Programming, Office for—377
- Professional and Occupational Regulation, Commission on—432
- Public Instruction, Department of—43
- Public Safety, Department of—43
- Railway Finance Authority—365
- Regents, Board of (Ten-Year Bldg. Program)—185
- Revenue, Department of—44, 377
- Social Services, Department of—44, 105, 185, 206, 545
- Status of Women, Commission on—283
- Substance Abuse, Department of—129
- Transportation, Department of—44, 185, 350, 364
- Treasurer, State—44
- Veterans Affairs, Dept. of—423-424

Secretary of State—40
Secretary of State, became law by publication—423, 589, 729, 846-847, 1044-1045, 1090, 1158-1159, 1343-1344, 1660, 1685, 1845, 2007, 2121-2122, 2154, 2515-2519

Special communications—903, 1066
Supreme Court—262
Texas, State of, House Joint Resolution 10—1091

COMMUNICATIONS REVIEW COMMITTEE—
Appointments to—889

COMPANION BILLS—
(See House and Senate Companion Bills listed in Legislative Index Volume)

COMPENSATION, EXPENSES AND SALARIES FOR ELECTED STATE OFFICIALS, COMMISSION ON—
Communication from—334

COMPTROLLER OF IOWA—
Claims (approved)—107-119
Claims (disapproved)—119-123, 449-450
Claims filed—107-119, 119-123, 449-450
Communication from—107

CONDITION OF THE STATE MESSAGE—
(See State of the State Message)

CONFERENCE COMMITTEES—
Appointed—1042, 1670, 1763, 1789, 2005, 2023, 2028, 2037, 2118, 2187, 2206
Reports:
House File 343—2150-2151
House File 359—2206
House File 562—2201-2202
House File 627—2060-2061
House File 638—2144-2146
Senate File 386—2207-2213
Senate File 495—1878-1881
Senate File 496—2084-2085
Senate File 531—2226-2231
Senate File 543—2234-2236
Senate File 548—2214-2225
Senate File 551—2197-2199
Reports called up:
House File 343—2150-2151
House File 562—2201-2203 adopted
House File 627—2060-2062
House File 638—2144-2146, 2158-2159 adopted
Senate File 386—2207-2213 adopted
Senate File 495—1878-1881
Senate File 496—2084-2085
Senate File 531—2226-2231 adopted
Senate File 543—2234-2236 adopted
Senate File 548—2214-2225 adopted

Senate File 551—2197-2200 adopted
Reports filed:
Senate File 386—1287
Senate File 495—1878-1879
Senate File 548—2152-2153
Senate File 551—2153

CONFIDENTIAL RECORDS COUNCIL—
Appointments to—865

CONGRESS AND/OR PRESIDENT OF THE UNITED STATES—
(See President of the United States, Congress and/or Federal Agencies)

CONNOLLY, MICHAEL W.—Representative **Dubuque** County
Amendments filed—891, 900, 915, 1021, 1421, 1453-1454, 1561, 1561-1562, 1562, 1691-1692, 1717, 1768, 1991, 2010
Amendments offered—915, 1021, 1990, 1991
Bills introduced—221, 236, 241, 242, 267, 369, 428, 462, 492-493, 513, 551-552, 645, 646, 653, 654, 687
Committee appointments—24, 25, 26, 46, 2028, 2138, 2187
Leave of absence—825
Presided at sessions of the House—718, 2150
Reports—46, 2201-2202, 2214-2225, 2234-2236
Resolutions offered—216-217, 553, 745-746, 1973-1974
Rulings made—722, 1629
Subcommittee appointments—26
Subcommittee assignments—217, 251, 336, 392, 530, 709, 815, 897, 1045, 1160, 1531, 1686, 2246, 2247

CONNORS, JOHN H.—Representative **Polk** County, Speaker Pro Tempore
Amendments filed—198-199, 471, 716, 980, 1051, 1252, 1279-1280, 1489, 1543-1544, 2047, 2156
Amendments offered—198, 538, 1279, 1484, 1502
Amendments withdrawn—199
Appointed to the Legislative Council—226
Bills introduced—191, 236, 242, 266, 267, 288, 459, 460, 493, 596, 654, 687, 826, 868
Bills rereferred to committee—700
Committee appointments—24, 25, 2118
Elected Speaker pro tempore—13-15
Escorted to the front of the Speaker's station and presented to the House, Doug Hutcheson, Indianola, 1983 Easter Seal Child—491
Leave of absence—717, 825, 977, 2086
Petitions presented—1211, 1390, 1795, 1848
Presentation of visitors—701, 1631-1632, 1660
Presented to the House foreign exchange student, George Cortes from Naucalpan, Mexico—507
Presided at sessions of the House—196, 200, 300, 350, 358, 388, 436, 567 577, 584, 684, 692, 696, 797, 914, 976, 1022, 1199, 1334, 1523, 1539, 1627, 1657, 1676, 1724, 1775, 1986, 2071, 2152, 2200, 2231

Remarks by—15-16
Reports—2206
Resolutions offered—216-217, 448-449, 745-746, 2013-2014, 2014
Rulings made—919, 920, 925, 1335, 1988
Subcommittee appointments—27
Subcommittee assignments—144, 249, 250, 251, 252, 335, 391, 527, 617, 704, 705, 706, 707, 812, 899, 1160
Welcomed Pioneer Lawmakers on behalf of the House—1516

COOPER, JAMES J.—Representative Clarke-Monroe-**Lucas**-Wayne Counties
Amendments filed—594, 1210, 1420, 1633, 1664, 1691, 1717, 1768, 1817, 2010-2011
Amendments offered—503, 1306, 1467
Bills introduced—147, 155, 191, 221, 236, 288, 413, 460, 462, 472, 510, 652, 655
Committee appointments—25, 26, 402
Petitions presented—1390
Presented to the House the Honorable Tom Dougherty, former member of the House—1419
Presided at sessions of the House—2129
Resolutions offered—216-217, 448-449, 468-469, 526, 745-746
Subcommittee appointments—27
Subcommittee assignments—249, 250, 392, 452, 530, 616, 617, 707, 708, 815, 1046, 1161

COPENHAVER, PAUL G.—Representative Black Hawk-**Buchanan** Counties
Amendments filed—286, 367, 490, 594, 866, 980, 1148-1149, 1290, 1691-1692, 1716, 1717, 1768, 1794, 1847, 1944, 1946, 2010, 2038
Amendments offered—349, 692, 1132, 1826, 1922, 1944, 1946, 2089
Amendments withdrawn—2107
Bills introduced—148, 220, 242, 513, 596, 644, 688
Committee appointments—8-9, 23, 24, 26, 39, 429
Leave of absence—1866
Presented to the House the Honorable Trave O'Hearn, former member of the House—261
Presided at sessions of the House—1474
Resolutions offered—216-217, 468-469, 1774, 2131
Rulings made—1482
Subcommittee appointments—27
Subcommittee assignments—249, 335, 391, 393, 452, 453, 528, 705, 815, 1045, 1046, 1687

COREY, VIRGIL E.—Representative Des Moines-**Louisa**-Washington Counties
Amendments filed—328, 329, 352, 594, 716, 873, 980, 1111, 1388, 1640-1647, 1649, 1653, 1653-1654, 1689, 1691, 1717, 1768, 1804-1805, 1806, 1807, 1907, 1949, 2010-2011, 2039-2041, 2188, 2189, 2190, 2191
Amendments offered—360, 632, 1199, 1405, 1653, 1751, 1907
Amendments withdrawn—1240
Appointed to the Confidential Records Council—865
Bills introduced—242, 266, 356, 368-369, 493, 511, 551, 686, 687, 825-826
Committee appointments—24, 25, 26, 387, 1670
Leave of absence—796, 942

Petitions presented—559
Reports—2084-2085
Resolutions offered—468-469, 2067-2068
Subcommittee appointments—27
Subcommittee assignments—143, 249, 251, 252, 392, 452, 528, 529, 703, 704, 705, 707, 708, 709, 814, 815, 898, 1046, 1047, 1048, 1160, 1162

CREDENTIALS, COMMITTEE ON—
Appointed—1-2
Report—2-4
Report adopted—4

DAGGETT, HORACE—Representative Adams-Decatur-Ringgold-**Taylor** Counties
Amendments filed—296-297, 298-299, 300, 306-307, 310, 329, 419, 421, 546, 891, 980, 1017-1020, 1050, 1111, 1127, 1290, 1420, 1649, 1653-1654, 1656, 1689, 1690, 1691, 1717, 1768, 1904-1905, 2010, 2010-2011
Amendments offered—296, 298, 306, 1024, 1149, 1150, 1731, 1904
Amendments withdrawn—1149
Bills introduced—59, 60, 124, 125, 223, 236, 242, 259, 266, 287, 288, 354, 461, 462, 492-493, 736, 825-826
Committee appointments—24, 26, 401, 402, 2187
Leave of absence—353, 794, 942, 1171
Petitions presented—1693
Presented to the House the Honorable Arlo Hullinger, former member of the House—589
Presided at sessions of the House—243, 1703, 1994, 2136
Reports—131
Resolutions offered—402, 468-469, 729, 1973-1974, 2013-2014
Subcommittee appointments—26
Subcommittee assignments—217, 218, 391, 392, 528, 530, 702, 813

DAVITT, PHILIP A.—Representative **Warren** County, Assistant Majority Floor Leader
Amendments filed—457, 558, 823, 900, 1050, 1561, 1702, 1794
Amendments offered—602, 667, 1059
Amendments withdrawn—576
Bills introduced—147, 155, 221, 222, 231, 235, 236, 385, 512, 596, 653, 654, 655, 656, 685, 688, 733, 734
Committee appointments—23, 26, 208, 656, 743
Leave of absence—971, 1322, 1718
Presented to the House the Honorable James Middleswart, former member of the House—2155
Presided at sessions of the House—203
Resolutions offered—216-217, 448-449, 729, 745-746, 1212-1213, 2067, 2131
Subcommittee appointments—27
Subcommittee assignments—144, 251, 391, 392, 617, 812, 813, 1046, 1687

DE GROOT, KENNETH—Representative **Lyon**-O'Brien-Osceola-Sioux Counties

Amendments filed—69, 70, 72, 187, 193, 296-297, 298-299, 300, 304-305, 311, 317-318, 328, 382, 398, 426, 546, 557, 753, 824, 1208, 1420, 1490, 1653-1654, 1689-1690, 1691-1692, 1710, 1717, 1768, 1993, 2010
Amendments offered—304, 442, 443, 562, 602, 803
Bills introduced—191, 287, 288, 385, 413, 473, 645, 825-826
Committee appointments—23, 26, 600
Leave of absence—1521
Petitions presented—644, 2012
Presided at the joint Senate and House memorial session—963
Resolutions offered—468, 2244-2245
Subcommittee appointments—27
Subcommittee assignments—143, 249, 335, 453, 528, 615, 616, 617, 705, 706, 707, 708, 709, 812, 813, 898, 1686, 1687, 1916

DIEMER, MARVIN E.—Representative **Black Hawk** County
Amendments filed—187, 193, 203, 300, 317-318, 434, 509, 546, 556, 557, 769, 824, 934, 980, 1649, 1653-1654, 1689-1690, 1690, 1691-1692, 1717, 1768, 1839, 1847, 2039-2041
Amendments offered—503, 504, 581, 1858
Bills introduced—147, 148, 191, 242, 287, 355, 385, 428, 460, 461, 472, 473, 474, 510, 511, 513, 551, 645, 655, 686, 969
Committee appointments—12, 25, 26, 1763, 2005
Reports—2144-2146, 2150
Resolutions offered—216-217
Subcommittee appointments—27
Subcommittee assignments—392, 451, 530, 617, 703, 704, 709, 812, 813, 814, 899, 1046, 1048, 1161, 1346

DODERER, MINNETTE—Representative **Johnson** County
Amendments filed—72, 75, 194, 290-296, 367, 434, 546, 557, 565, 769, 801, 806, 934, 1092, 1169, 1197, 1201, 1252, 1289, 1348, 1388, 1420, 1462, 1562, 1633, 1663, 1684, 1690, 2000, 2010, 2038, 2112-2114, 2123
Amendments offered—72, 194, 290, 565, 567, 786, 800, 801, 944, 951, 1196, 1197, 1201, 1401, 1416, 1426, 1462, 1508, 1680, 1721, 1781, 1783, 2028, 2164
Amendments withdrawn—1463
Appointed to the Legislative Fiscal Committee—226
Bills introduced—123, 126, 148, 235, 236, 356, 459, 485, 492, 511, 549, 893
Committee appointments—15, 24, 26, 1042, 2005
Leave of absence—476, 1513
Presided at sessions of the House—437, 883, 1104, 1869
Reports—2207-2213
Resolutions offered—216-217, 408, 468-469, 745-746, 1688-1689, 1866, 2013-2014, 2014-2015
Rulings made—1872
Subcommittee appointments—27, 244-245
Subcommittee assignments—143, 392, 452, 453, 528, 529, 530, 616, 617, 705, 709, 897, 1047, 1160, 1162, 1345, 1531, 1686, 1687, 1915, 1916

EDUCATION, COMMITTEE ON—
Amendments filed—769, 963, 1168

Amendments offered—994
Appointed—24
Bills introduced—258, 267, 268, 333, 343, 354, 495, 542-543, 717, 743, 754, 793, 853, 902
Recommendations—240, 264-265, 276, 341, 456, 483, 508, 683, 738, 764-765, 819, 962, 978-979, 1163
Subcommittee assignments—217, 218, 251, 391, 392, 393, 452, 453, 529, 530, 616, 702, 703, 705, 706, 813, 814, 897, 898, 1048, 1161

EMPLOYEES—
(See Officers and Employees)

ENERGY, COMMITTEE ON—
Appointed—24
Bills introduced—734, 735, 793, 852, 895
Recommendations—380, 489, 714-715, 749, 819
Resolutions offered—371-372
Subcommittee assignments—250, 451, 452, 454, 529, 706

ENERGY POLICY COUNCIL—
Appointments to—261
Communications from—896

ENROLLED BILLS—
(See Bills, Sent to the Governor, Chief Clerk of the House, Joseph O'Hern and/or Speaker of the House, Donald D. Avenson)

ETHICS, COMMITTEE ON—
Appointed—39, 40
Recommendations—276
Resolutions offered—269-274
Resolution relating to, HR 10—1774
Rules governing lobbyists, resolution relating to, HR 4—269-274, 286, 349 adopted

EXPLANATIONS OF VOTE—
House Concurrent Resolution 14-Representative Royer—848
House File 19-Representative Mullins—553-554
House File 19-Representative Fey—554
House File 53-Representative Torrence—681
House File 67-Representative Swearingen—227
House File 108-Representative Fey—554
House File 108-Representative Mullins—553-554
House File 111-Representative Royer—1090
House File 120-Representative Swearingen—871
House File 150-Representative Royer—1090
House File 162-Representative Torrence—681
House File 166-Representatives Fey & Connolly—848
House File 176-Representative Blanshan—669
House File 184-Representative Royer—1090
House File 199-Representative Corey—847

House File 199-Representative Royer—848
House File 201-Representative Blanshan—669
House File 219-Representative Torrence—681
House File 241-Representative Baxter—2254
House File 242-Representative Torrence—681
House File 243-Representative Torrence—681
House File 244-Representative Torrence—681
House File 245-Representative Blanshan—669
House File 247-Representative Blanshan—669
House File 278-Representative Torrence—681
House File 279-Representative Blanshan—669
House File 312-Representative Torrence—681
House File 313-Representative Torrence—681
House File 315-Representative Blanshan—669
House File 316-Representative Blanshan—669
House File 341-Representative Blanshan—669
House File 343-Representative Blanshan—669
House File 343-Representative Baxter—2254
House File 358-Representative Blanshan—669
House File 359-Representative Blanshan—669
House File 362-Representative Fey—848
House File 364-Representative Blanshan—669
House File 377-Representative Branstad—1487
House File 406-Representative Poncy—896
House File 440-Representative Fey—848
House File 495-Representatives Fey & Connolly—848
House File 514, H-3314-Representative Swearingen—871
House File 514-Representative Swearingen—871
House File 514-Representative Baxter—2007
House File 518-Representative Swearingen—871
House File 532-Representative Baxter—2007
House File 556-Representative Royer—1090
House File 562-Representative Royer—1090
House File 562-Representative Baxter—2007
House File 562, H-4082 & H-4085-Representative Baxter—2007
House File 562-Representative Baxter—2254
House File 569-Representative Royer—1090
House File 577-Representative Royer—1090
House File 592-Representatives Royer & Van Camp—1090
House File 613-Representative Baxter—2254
House File 614-Representative De Groot—1559
House File 623-Representative De Groot—1559
House File 625-Representative Baxter—2007
House File 625, H-3987-Representative Baxter—2007
House File 628-Representative De Groot—1559
House File 630-Representative Poncy—1715
House File 631-Representative Poncy—1715
House File 634-Representative Tofte—1789
House File 634-Representative Baxter—2254

House File 636-Representative Zimmerman—1765
House File 637-Representative Baxter—2254
House File 637, H-4223-Representative Baxter—2254
House File 637, H-4245, H-4247, H-4248, H-4249 & H-4250-Representative Baxter—2254
House File 638-Representative Baxter—2254
House File 641-Representative Baxter—2007
House File 641, H-4005, H-4009, H-4020 & H-4058-Representative Baxter—2007
House File 643-Representative Baxter—2007
House File 644-Representative Baxter—2007
House File 645-Representative Baxter—2007
House File 646-Representative Baxter—2007
House File 649-Representative Tabor—2154
House File 652-Representative Baxter—2254
House File 658-Representative Baxter—2254
House Joint Resolution 2-Representatives Fey & Connolly—848
House Resolution 3 as amended-Representative Schroeder—205
House Resolution 3, H-3024, H-3026, H-3041 & H-3031 to H-3027-Representative McIntee—227
House Resolution 3 as amended-Representative McIntee—227
House Resolution 3-Representative Swearingen—227
Senate File 56-Representative Baxter—2254
Senate File 73-Representative Baxter—2254
Senate File 92-Representative Baxter—2254
Senate File 92, H-4221, H-4196E, H-3230A, H-3230E & H-3266-Representative Baxter—2254
Senate File 116-Representative De Groot—669
Senate File 116-Representative Swearingen—681
Senate File 132-Representative Blanshan—669
Senate File 158-Representative Torrence—681
Senate File 178-Representative Baxter—2254
Senate File 195-Representative Fey—554
Senate File 207-Representative Swearingen—681
Senate File 207-Representative McIntee—701
Senate File 223-Representative Brammer—1345
Senate File 310-Representative Poncy—1715
Senate File 314-Representative Baxter—2007
Senate File 334-Representative Royer—1090
Senate File 354-Representative Baxter—2007
Senate File 370-Representative Baxter—2007
Senate File 386, H-3263, H-3268, H-3270, H-3272, H-3287 & H-3288-Representative Corey—847
Senate File 386-Representatives Corey & Royer—848
Senate File 386-Representative Baxter—2254
Senate File 423-Representative Brammer—1345
Senate File 440-Representative Royer—848
Senate File 444-Representative Poncy—1344
Senate File 448, H-4059, H-4089A, H-4104 & H-4109-Representative Baxter—2007
Senate File 448-Representative Baxter—2007

Senate File 461, H-4063-Representative Baxter—2007
Senate File 461-Representative Baxter—2007, 2254
Senate File 495-Representative Baxter—2007
Senate File 496-Representative Brammer—1345
Senate File 499-Representatives McIntee, Swearingen & Hermann—1344
Senate File 500-Representative Daggett—1344
Senate File 513-Representatives McIntee, Swearingen & Hermann—1344
Senate File 524-Representative Baxter—2254
Senate File 524, H-4176-Representative Baxter—2254
Senate File 531-Representative Baxter—2007, 2254
Senate File 531, H-3996D, H-4004, H-3989 & H-4046-Representative Baxter—2007
Senate File 532-Representative Baxter—2007
Senate File 533-Representative Baxter—2254
Senate File 537-Representative Baxter—2254
Senate File 537, H-4210-Representative Baxter—2254
Senate File 538-Representative Baxter—2007
Senate File 543, & amendment to-Representative Baxter—2254
Senate File 544-Representative Van Gerpen—2154-2155
Senate File 544-Representative Baxter—2254
Senate File 545-Representative Van Camp—2154
Senate File 545-Representative Baxter—2254
Senate File 547-Representative Baxter—2254
Senate File 548-Representative Baxter—2254
Senate File 549-Representative Baxter—2254
Senate File 551-Representative Baxter—2254
Senate File 551, H-4216 & H-4184-Representative Baxter—2254
Senate File 552-Representative Baxter—2254
Senate File 553-Representative Baxter—2254
Senate File 556-Representative Baxter—2254
Senate File 556, H-4232-Representative Baxter—2254
Senate Joint Resolution 6-Representative Osterberg—1967
Senate Joint Resolution 6-Representative Baxter—2007

FEDERAL AGENCIES—
(See President of the United States, Congress and/or Federal Agencies)

FEY, THOMAS H.—Representative **Scott** County
Amendments filed—188, 198, 850, 1092, 1253, 1420, 1691-1692, 1717, 1768, 1794, 2010-2011, 2047, 2112-2114
Amendments offered—198, 2112
Amendments withdrawn—201
Bills introduced—235, 236, 242, 356, 492-493, 510, 513, 644, 647, 654, 688
Committee appointments—24, 25, 26
Leave of absence—535, 825
Presided at sessions of the House—1656
Reports—98-103, 280, 389, 1714-1715
Resolutions offered—17, 216-217, 468-469, 526, 729, 745-746, 2013-2014, 2120-2121, 2133-2135
Subcommittee appointments—27

Subcommittee assignments—218, 249, 250, 252, 392, 393, 453, 529, 617, 707, 812, 813, 815, 1045, 1046, 1047

FINANCE, COMMITTEE ON—
Amendments filed—642
Amendments offered—665, 1990
Appointed—24
Bills introduced—358-359, 853, 1093, 1568, 1589-1590, 1590, 1975, 2124
Recommendations—240, 276, 285, 351-352, 366, 425-426, 470, 546, 642, 671, 738-739, 866, 872-873, 933, 962, 1049, 1109-1110, 1346-1347, 1386-1387, 1488-1489, 1560-1561, 1633, 1661, 1766-1767, 1791-1792, 1917, 1969-1970, 2008-2009, 2046, 2050, 2051
Rereferred to—261
Resolutions offered—236-237
Subcommittee assignments—335, 336, 393, 452, 453, 530, 708, 709, 896, 897, 1045, 1160, 1345, 1531, 1686, 1687, 1915, 1916, 2246-2247

FOGARTY, DANIEL P.—Representative Clay-**Palo Alto** Counties
Amendments filed—594, 672, 1208, 1420, 1664, 1691-1692, 1716, 1717, 1768, 1794, 1817, 1941-1942, 2010-2011
Amendments offered—465, 720, 721, 722, 723, 724, 1941
Bills introduced—147, 222, 242, 413, 492-493, 551
Committee appointments—23, 25, 26, 156, 2037
Escorted to the Speaker's station and presented to the House the Honorable Dr. Sean McCarthy, T. D., House of Parliament, Cashel, County Tipperary Ireland—734
Petitions presented—1422, 1533, 1634
Presented to the House the Honorable John P. (Jack) Kibbie, former member of the House—431
Presented to the House the Honorable Robert Krause, former member of the House—93
Reports—2060-2062
Resolutions offered—216-217, 448-449, 729, 745-746, 1774, 1866, 2067
Subcommittee appointments—27
Subcommittee assignments—249, 250, 251, 335, 392, 453, 709

GENERAL ASSEMBLY—HOUSE—
(See also Rules and Administration Committee in the General Index and/or House Concurrent Resolutions, House Resolutions and Senate Concurrent Resolutions listed in Legislative Index Volume)
Resolutions relating to:
House Concurrent Resolution 1, state of the state message—13 adopted
House Concurrent Resolution 2, joint rules—95-97, 105, 126-128 amended & adopted
House Concurrent Resolution 3, chaplains, officers & employees—78
House Concurrent Resolution 4, condition of the Judicial department message—97, 106 adopted
House Concurrent Resolution 5, budget message—97, 106 adopted
House Concurrent Resolution 12, memorial session—468, 486 adopted

House Concurrent Resolution 15, pioneer lawmakers—544, 648 adopted
House Concurrent Resolution 18, adjourn 3-31-83, reconvene 4-5-83—734, 761 adopted, 762
House Resolution 1, ministers—16-17 adopted
House Resolution 2, clerks, secretaries & pages—17 adopted
House Resolution 3, code of ethics—269-274, 286, 349 adopted
House Resolution 10, ethics committee, two meeting days—1774

GOVERNOR BRANSTAD, TERRY E.—
Addressed joint convention—135-142, 209-216, 1516-1517
Addressed Pioneer Lawmakers—1516-1517
Bills signed by—364, 431, 545, 588, 639, 731, 846, 931-932, 961, 1090, 1205, 1343, 1385, 1529, 1558-1559, 1570-1571, 1659, 1684, 1713-1714, 1764, 1845, 1913-1914, 2005-2006, 2043, 2153-2154, 2245
Certificate of election—132
Closing message—2249-2254
Committees to escort—134, 209, 215, 2249
Committees to notify—133, 209, 2249
Communications from—261-262, 269
Delivered Budget Message—209-215
Inaugural, address of—135-142
Item veto messages—2478-2516
Resolution relating to the Budget Message, HCR 5—97, 106 adopted
Resolution relating to the Condition of the Judicial Department, HCR 4—97, 106 adopted
Resolution relating to the Inauguration, SCR 2—78 adopted
Resolutions relating to:
House Concurrent Resolution 20—757, 963
Senate Concurrent Resolution 22—1157-1158, 1342 adopted
Took oath of office—135
Veto messages—2471-2477

GOVERNOR RAY, ROBERT D.—
Committee to escort—47, 55, 134
Committee to notify—46-47
Communication from—150-151
Delivered the State of the State message—47-53
Extraordinary resolution presented to—150-151
Resolution relating to the State of State message, HCR 1—13 adopted

GRANDIA, ROBERT J.—Representative **Marion** County
Amendments filed—823, 824, 1073, 1649, 1653-1654, 1663, 1689, 1691, 1717, 1768, 1794, 1817
Amendments offered—1073
Bills introduced—155, 191, 288, 428, 472, 655, 825-826
Committee appointments—25, 208, 2206
Leave of absence—266
Petitions presented—652, 684, 1291, 1422, 1563, 1718

Presented to the House Brenda Boomsma, Queen of the 1983 Pella Tulip Festival—1775
Presented to the House foreign exchange students Annie Borstlap, Bloemfontein, South Africa, Kathy Hazelgrove, Sydney, Australia, and Andre Chollet, Quebec, Canada—669
Resolutions offered—448-449, 468-469, 729
Subcommittee appointments—27
Subcommittee assignments—249, 250, 251, 527, 531, 615, 617, 703, 705, 706, 707, 708, 812, 813, 814, 1047

GRONINGA, JOHN—Representative **Cerro Gordo** County
Amendments filed—1111, 1490, 1521, 1561, 1691-1692, 1716, 1717, 1831, 2010-2011
Amendments offered—1455, 1519, 1521, 1796, 1831
Bills introduced—354, 356, 369, 414, 460, 461, 472, 513, 549, 551, 645, 733
Committee appointments—24, 25, 26, 47, 2023
Petitions presented—1533
Presided at sessions of the House—1502, 1736
Reports—2226-2231
Resolutions offered—216-217, 729, 745-746
Rulings made—1741, 1742, 1747
Subcommittee appointments—27
Subcommittee assignments—451, 452, 453, 528, 617, 704, 709, 813, 815, 899, 1045, 1048, 1161, 1916

GRONSTAL, MICHAEL E.—Representative **Pottawattamie** County
Amendments filed—509, 557, 558, 586, 866, 900, 1092, 1208, 1420, 1561, 1617-1619, 1663, 1768, 2010
Amendments offered—578, 1174, 1294, 1676
Bills introduced—147, 235, 354, 355, 369, 647, 688, 689, 826, 827, 828
Committee appointments—25, 26, 1515, 2138
Presided at sessions of the House—1827
Reports—2234-2236
Resolutions offered—216-217, 468-469, 526, 745-746
Rulings made—1829
Subcommittee appointments—27
Subcommittee assignments—218, 251, 391, 527, 530, 615, 708, 812, 813, 815, 1047, 1160, 1162

GROTH, RICHARD—Representative **Buena Vista**-Pocahontas Counties
Amendments filed—352, 434, 980, 981, 1017-1020, 1020-1021; 1170, 1208, 1209, 1228, 1278, 1388, 1420, 1474, 1490, 1561, 1768, 1847, 1918, 1970, 2010, 2011, 2023-2024, 2030
Amendments offered—359, 446, 994, 1017, 1022, 1023, 1025, 1225, 1248, 1278, 1359, 1362, 1474, 1502, 1902, 1956, 2030
Amendments withdrawn—1474, 1956, 2024, 2027
Bills introduced—231, 235, 288
Committee appointments—2, 24, 25, 401, 2187
Presided at sessions of the House—1062
Reports—2-4, 2201-2202

Resolutions offered—216-217, 448-449, 468-469, 745-746, 1973-1974, 2131, 2132
Subcommittee appointments—27
Subcommittee assignments—217, 218, 250, 392, 527, 530, 702, 705, 707, 709, 897, 899, 1047, 1161

GRUHN, JOSEPHINE—Representative **Dickinson**-Emmet Counties
Amendments filed—823, 890, 1420, 1691-1692, 1717, 1768, 2010-2011
Bills introduced—147, 893
Committee appointments—23, 25, 26, 209
Leave of absence—399, 1676
Petitions presented—1349, 1390
Resolutions offered—216-217, 448-449, 729, 745-746, 1418, 1688-1689, 2067, 2131
Subcommittee appointments—27
Subcommittee assignments—143, 249, 335, 336, 391, 453, 528, 529, 703, 707, 814, 1161

HALVORSON, RODNEY N.—Representative **Webster** County, Assistant Majority Floor Leader
Amendments filed—187, 850, 980, 1017-1020, 1051, 1169, 1532, 1543-1544, 1561, 1768, 2010-2011, 2082
Amendments offered—196, 691, 1076, 1077, 1185, 1187, 1535, 1543, 2082
Bills introduced—147, 221, 235, 459-460, 461, 513, 596, 654
Committee appointments—17-18, 23, 24, 26, 2249
Presided at sessions of the House—93, 1822
Reports—41-43
Resolutions offered—216-217, 448-449, 553, 745-746, 2067, 2131
Subcommittee appointments—26
Subcommittee assignments—143, 144, 334, 335, 336, 452, 453, 527, 528, 530, 707, 708, 896, 897, 898, 1045, 1048, 1531, 1686, 1915, 1916, 2246, 2247

HALVORSON, ROGER A.—Representative Allamakee-**Clayton** Counties, Assistant Minority Floor Leader
Amendments filed—69, 70, 71, 72, 74-75, 88-89, 187, 203, 296-297, 298-299, 300, 315-316, 317-318, 329, 352, 418, 509, 520, 769, 777, 823, 824, 873, 934, 935, 980, 1092, 1290, 1420, 1462, 1489, 1562, 1578, 1640-1647, 1649, 1653-1654, 1663, 1689, 1690, 1691, 1717, 1768, 1817, 1847, 1870, 1871-1872, 1929, 2048, 2082, 2087, 2123, 2147-2148, 2188, 2189, 2190, 2191
Amendments offered—194, 520, 772, 777, 842, 843, 1032, 1439, 1543, 1574, 1586, 1640, 1649, 1653, 1737, 1782, 1870, 1871, 2188, 2189, 2190, 2191
Amendments withdrawn—771, 1443
Bills introduced—59, 60, 242, 368-369, 369, 427, 492-493, 512, 513, 552, 655, 825-826, 827-828
Committee appointments—24, 25, 2138
Leave of absence—388, 399, 883, 895, 1349, 1482, 1518
Petitions presented—1770, 1795, 1919, 2124
Presented to the House the Honorable Jim O. Henry, former member of the House—189
Remarks by—15
Reports—2234-2236
Resolutions offered—216-217, 2067-2068

Subcommittee appointments—26, 244-245
Subcommittee assignments—144, 249, 251, 336, 451, 527, 529, 531, 617, 703, 704, 705, 707, 708, 709, 814, 815, 899, 1047, 1048, 1161, 1162, 1531, 2247

HAMMOND, JOHNIE—Representative **Story** County
Amendments filed—557, 1112, 1127, 1169, 1290, 1561, 1627-1628, 1716, 1768, 1847, 1993, 2047, 2075-2076, 2097-2098
Amendments offered—983, 1178, 1222, 1329, 1928, 2075, 2079
Amendments withdrawn—2079
Bills introduced—147, 191, 221, 235, 266, 268, 368-369, 413, 461, 492, 547, 550, 655, 734, 893
Committee appointments—24, 26
Leave of absence—278, 1349
Presided at sessions of the House—1139
Resolutions offered—216-217, 468-469, 526, 745-746, 1688-1689
Subcommittee appointments—26, 244-245
Subcommittee assignments—143, 144, 218, 249, 250, 252, 334, 393, 528, 702, 706, 708, 812, 813, 814, 815, 898, 899, 1046, 1047

HANDORF, WARD—Representative Black Hawk-**Marshall**-Tama Counties
Amendments filed—296-297, 302, 303, 304, 310, 312-313, 317-318, 823, 824, 1252, 1649, 1653-1654, 1664, 1689, 1690, 1691, 1717, 1761, 1768, 1817, 1929
Amendments offered—843, 1761
Amendments withdrawn—842, 1502
Bills introduced—147, 191, 235, 287, 385, 492-493
Committee appointments—23, 24, 25, 2037
Leave of absence—1987
Petitions presented—1389
Reports—2060-2062
Resolutions offered—729, 2067-2068, 2131
Subcommittee appointments—27
Subcommittee assignments—251, 391, 452, 705, 708, 1048, 1161

HANSON, DARRELL R.—Representative Buchanan-**Delaware**-Linn Counties
Amendments filed—298-299, 302, 311, 312-313, 342, 352, 478, 557, 753, 823, 824, 873, 874, 891, 900, 934, 980, 1017-1020, 1035-1039, 1208, 1209, 1253, 1281, 1290, 1489, 1561, 1562, 1663, 1689, 1690, 1691, 1703-1704, 1768, 1949, 1994, 2047
Amendments offered—312, 476, 478, 516, 517, 574, 585, 786, 796, 859, 884, 1281, 1565, 1566, 1703, 1721, 1728, 1753, 1949
Amendments withdrawn—1281, 1322, 1723, 1757
Bills introduced—220, 235, 242, 266, 267, 268, 492-493, 512, 548, 655, 727
Committee appointments—24, 25, 26, 78, 429, 2028
Petitions presented—1770
Presented to the House alumni of the Iowa Civilian Conservation Corps—1045
Presented to the House the Honorable Karen Mann, former member of the House—1846
Presented to the House the Honorable Maurice Hennessey, former member of the House—2122
Presided at sessions of the House—540, 1521

Reports—2214-2225
Resolutions offered—216-217, 429, 526, 2067-2068
Subcommittee appointments—27
Subcommittee assignments—248, 334, 335, 452, 453, 528, 530, 615, 616, 706, 707, 708, 709, 812, 897, 898, 1160, 1345, 1531

HARBOR, WILLIAM H.—Representative **Mills**-Montgomery-Pottawattamie Counties
Amendments filed—69, 70, 71, 72, 74-75, 75, 88-89, 105, 187, 195-196, 203, 240, 244, 286, 296-297, 298-299, 302, 303, 310, 328, 329, 434, 557, 661-662, 900, 980, 1050, 1170, 1208, 1209, 1221, 1408-1411, 1420, 1462, 1532, 1562, 1572, 1649, 1653-1654, 1689, 1690, 1691, 1691-1692, 1702, 1717, 1768, 1817, 2047
Amendments offered—69, 70, 71, 72, 74, 75, 88, 126, 192, 194, 203, 243, 302, 303, 310, 328, 660, 1074, 1218, 1425, 1464, 1484, 1702, 1728, 1745, 1781
Amendments withdrawn—680
Bills introduced—58, 154, 220, 223, 384, 474, 654, 685, 686, 825-826
Committee appointments—24, 25, 26, 209, 401, 2023
Leave of absence—368, 388, 435, 472, 491, 510, 535, 733, 942, 1322, 1496, 1878
Petitions presented—1491, 1573, 1634, 1665, 1718, 2246
Presented to the House the Honorable William J. Scherle, former member of the House—1487
Presided at sessions of the House—858
Reports—2226-2231
Resolutions offered—408, 468-469, 1212-1213, 2067-2068
Subcommittee appointments—27
Subcommittee assignments—250, 531, 616, 618, 898, 1048, 1162

HAVERLAND, MARK A.—Representative **Polk** County
Amendments filed—558, 1290, 1420, 1539-1540, 1547-1549, 1652, 1794, 2010, 2011, 2097-2098
Amendments offered—1313, 1547
Bills introduced—148, 235, 242, 428, 549, 654
Committee appointments—17, 24, 25
Leave of absence—476, 886, 1424, 1826, 2016
Presided at sessions of the House—1698, 1931, 2086
Resolutions offered—17, 216-217, 448-449, 468-469, 526, 745-746, 1973-1974, 2133-2135
Rulings made—1699
Subcommittee appointments—27
Subcommittee assignments—144, 251, 392, 529, 616, 703, 814, 815, 897, 898, 1048

HERMANN, DONALD F.—Representative **Scott** County
Amendments filed—193, 296-297, 310, 311, 824, 873, 900, 1051, 1229, 1290, 1420, 1649, 1653-1654, 1663, 1664, 1689, 1691, 1691-1692, 1717, 1768, 1794, 1847, 2010
Amendments offered—926, 1742, 1922
Amendments withdrawn—2160
Bills introduced—147, 148, 155, 242, 287, 370, 385, 414, 428, 460, 472, 510, 511
Committee appointments—24, 25, 40
Leave of absence—439, 1676
Petitions presented—1390, 1564, 1665, 1971
Resolutions offered—216-217, 468-469, 1688-1689, 1774, 2013-2014

Subcommittee appointments—27
Subcommittee assignments—143, 249, 251, 391, 392, 393, 898, 899

HOFFMANN-BRIGHT, BETTY A.—Representative Louisa-**Muscatine** Counties, Assistant Minority Floor Leader
Amendments filed—195-196, 315-316, 317-318, 418, 490, 546, 823, 824, 900, 951, 1420, 1562, 1663, 1664, 1689-1690, 1690, 1691, 1717, 1768, 1794, 1832-1833, 1842, 2097-2098
Amendments offered—1735, 1832, 1842, 2097
Appointed to the Legislative Council—226
Bills introduced—893
Committee appointments—24, 25, 26, 2118
Petitions presented—1422, 1564
Reports—2197-2199
Resolutions offered—468-469, 1688-1689
Subcommittee appointments—27
Subcommittee assignments—249, 702, 703, 704, 706, 707, 814, 899

HOLVECK, JACK—Representative **Polk** County
Amendments filed—557, 558, 586, 1051, 1099-1100, 1101, 1102-1103, 1103, 1112, 1127, 1169, 1253, 1420, 1617-1619, 1627-1628, 1768, 2047, 2097-2098, 2108
Amendments offered—1099, 1101, 1102, 1103, 1425, 1627, 2108
Bills introduced—547, 645, 647, 687, 852
Committee appointments—24, 25, 26, 39
Reports—131
Resolutions offered—216-217, 1774
Subcommittee appointments—27
Subcommittee assignments—144, 250, 251, 393, 453, 528, 530, 702, 813, 814, 898, 899, 1046, 1047, 1048, 1162, 1687

HOUSE COMMITTEE—
Assignments—27-39

HOUSE RULES AND ADMINISTRATION COMMITTEE—
(See Rules and Administration, Committee On)

HUGHES, RANDY—Representative Adair-Adams-Cass-Clarke-**Union** Counties
Amendments filed—534, 753, 1663, 1691-1692, 1717, 1768, 1794, 1918, 2010
Amendments offered—2108
Amendments withdrawn—1724, 1929, 2107
Bills introduced—267, 356, 461, 531, 547, 653
Committee appointments—23, 24, 402, 743, 1515
Leave of absence—1194
Petitions presented—1390, 1533
Presided at sessions of the House—1076, 1317, 1762
Resolutions offered—216-217, 448-449, 526, 743, 745-746, 1973-1974, 2067, 2131
Rulings made—1080, 1082, 1320, 1322
Subcommittee appointments—26
Subcommittee assignments—250, 335, 393, 452, 453, 529, 530, 705, 706, 813, 898, 1048

HUMAN RESOURCES, COMMITTEE ON—
Amendments filed—277, 594, 769, 979, 1126, 1168
Amendments offered—501, 983, 1176
Appointed—24
Bills introduced—372-373, 458, 473, 659, 717, 735, 742, 743, 791, 793, 852, 867, 870, 875, 1003
Recommendations—277, 366, 410, 433, 456, 593, 683, 739, 765-766, 979, 1123-1124, 1163
Subcommittee assignments—217, 249, 250, 251, 252, 812, 813, 815, 899, 1046, 1047

HUMMEL, KYLE—Representative **Benton**-Black Hawk-Counties
Amendments filed—69, 70, 74-75, 90-92, 244, 296-297, 298-299, 418, 534, 753, 980, 1169, 1532, 1562, 1649, 1653-1654, 2047
Amendments offered—90, 1029, 1877
Appointed to the Communications Review Committee—889
Bills introduced—510, 511, 512, 513, 653, 655, 688
Committee appointments—24, 25, 130, 2028
Leave of absence—146, 770, 825, 855, 879
Reports—2214-2225
Resolution relating to, HR 6—839, 853 adopted
Resolutions offered—468-469, 2155-2156
Special communication from—903
Subcommittee appointments—26
Subcommittee assignments—249, 452, 1160, 1531

INAUGURATION—
Committee appointed—78
Governor-elect Terry E. Branstand and Lieutenant Governor-elect Robert T. Anderson inaugurated—134-135
Resolution empowering joint resolution to arrange for, SCR 2—45, 78 adopted

INTERIM COMMITTEES—
(See also Legislative Council and/or Study Committees)
Resolutions relating to:
House Concurrent Resolution 8—279
House Concurrent Resolution 21—930-931, 1857 adopted
House Concurrent Resolution 22—1204
House Concurrent Resolution 23—1204-1205
House Concurrent Resolution 26—1418
House Concurrent Resolution 28—1688-1689
House Concurrent Resolution 34—2067
House Concurrent Resolution 35—2131
Senate Concurrent Resolution 37—1850-1851, 1973 adopted

INTERSTATE COOPERATION COMMISSION—
Communication from—1288

INTRODUCTION OF BILLS—
(See Bills, Introduction of, and/or individual listings)

IOWA BOUNDARY COMMISSION—
Appointments to—896

JAY, DANIEL—Representative **Appanoose**-Davis-Wapello Counties
Amendments filed—509, 823, 934, 963, 981, 1051, 1208, 1209, 1210, 1218, 1252, 1253, 1321, 1388, 1420, 1489, 1512-1513, 1543-1544, 1561, 1768, 2010, 2047, 2099-2100, 2147-2148
Amendments offered—609, 1058, 1172, 1214, 1321, 1391, 1392, 1397, 1400, 1407, 2051, 2128, 2147
Amendments withdrawn—1395, 1396, 1398, 1400, 1512
Bills introduced—60, 155, 222, 459, 460, 548, 645, 893
Committee appointments—24, 133, 157, 1789
Leave of absence—439, 901, 1676
Reports—134, 1878-1881
Resolutions offered—216-217, 448-449, 526, 745-746, 1205, 1973-1974
Subcommittee appointments—27, 244-245
Subcommittee assignments—144, 217, 218, 451, 452, 453, 529, 530, 616, 702, 703, 704, 705, 707, 709, 898, 1161, 1162

JOB SERVICE OF IOWA—
Communication from—43

JOCHUM, THOMAS J.—Representative **Dubuque** County
Amendments filed—509, 538-539, 963, 1421, 1561, 1691, 1691-1692, 1704-1705, 1717, 1768, 1769, 1794, 1804, 1816, 1817, 1820-1821, 1822, 1847, 1918, 1927-1928, 1929, 2010, 2010-2011, 2023-2024, 2065
Amendments offered—537, 1704, 1705, 1802, 1804, 1811, 1816, 1819, 1822, 1867, 1927, 1928, 1929, 2023, 2063, 2065
Amendments withdrawn—1868, 1869, 1928
Appointed to the Legislative Council & the Legislative Fiscal Committee—226
Bills introduced—124, 125, 147, 154, 235, 236, 356, 369, 473, 513, 596, 653, 654
Committee appointments—24, 25, 2023, 2118
Leave of absence—1512
Petitions presented—1390
Reports—131, 2197-2199, 2226-2231
Resolutions offered—216-217, 468-469, 745-746, 2244-2245
Subcommittee assignments—393, 527, 530, 707, 896, 897, 1160, 1345, 1531, 1686, 1687, 1915, 1916, 2246, 2247

JOINT CONVENTIONS—
For canvass of votes—131-132
Memorial Session—963-967
President pro tempore Miller presided—131
Resolutions relating to:
House Concurrent Resolution 1, state of the state message—13 adopted
House Concurrent Resolution 4, condition of the judicial department message—97, 106 adopted
House Concurrent Resolution 5, budget message—97, 106 adopted
House Concurrent Resolution 12, memorial session—468, 486 adopted

House Concurrent Resolution 15, pioneer lawmakers—544, 648 adopted
To hear Budget Message of Governor Terry E. Branstad—209-215
To hear Inaugural address of Governor Terry E. Branstad—135-142
To hear State of the State Message of Governor Robert D. Ray—47-53
To hear the condition of the judicial department message of Chief Justice W. W. Reynoldson—157-164
To honor Pioneer Lawmakers—1515-1517

JOINT RULES—
(See also Rules and/or Rules and Administration, Committee On)
Resolution relating to, House Concurrent Resolution 2—61-76 adopted, 95-97, 105, 126-128 amended & adopted

JUDICIARY AND LAW ENFORCEMENT, COMMITTEE ON—
Amendments filed—382, 556, 1126, 1127, 1168, 1169, 2010
Amendments offered—523, 540, 1172, 1214, 1240, 1300, 1303, 1313, 1337, 1436, 1458, 2051
Amendments withdrawn—1296
Appointed—24
Bills introduced—267, 386, 400, 414, 448, 495, 550, 622, 646, 754, 761, 791-792, 792, 839, 867, 868, 870, 875, 876, 901, 902, 968, 969, 1003-1004
Recommendations—285, 380-381, 433, 489, 533-534, 555, 731-732, 749-750, 766, 820-821, 849-850, 1049, 1124, 1163-1165, 1207, 1968, 2009, 2122-2123
Rereferred to—281
Subcommittee assignments—143, 144, 217, 218, 250, 251, 252, 256, 336, 392, 393, 453, 527, 528, 529, 530, 531, 702, 703, 704, 705, 706, 707, 708, 709, 812, 814, 815, 898, 899, 1046, 1047, 1048, 1160, 1161, 1162
Subcommittee assignments-reassigned—702

JUDICIARY AND LAW ENFORCEMENT STANDING SUBCOMMITTEES, COMMITTEE ON—
Appointments to—244-245

KNAPP, DONALD J.—Representative **Dubuque**-Jones Counties
Amendments filed—823, 934, 980, 1388, 1532, 1562, 1663, 1691, 1691-1692, 1710, 1717, 1768, 2010-2011, 2047
Amendments offered—1012, 1447, 1458, 1580, 1702, 1704, 1710
Amendments withdrawn—1060, 1447, 1702
Bills introduced—235, 288, 368-369, 474, 492-493
Committee appointments—24, 25, 156, 2005
Leave of absence—825
Presided at sessions of the House—1544
Reports—2144-2146
Resolutions offered—216-217, 448-449, 468-469, 526, 553, 745-746, 2131
Subcommittee appointments—27
Subcommittee assignments—144, 249, 393, 452, 529, 814, 898, 899, 1048

KOENIGS, DEO A.—Representative Chickasaw-Howard-**Mitchell** Counties
Amendments filed—980, 1050, 1347, 1691-1692, 1717, 1768, 1833-1834, 1970, 2010, 2010-2011, 2047
Amendments offered—807, 1071, 1622, 2080

Appointed to the Communications Review Committee—889
Bills introduced—147, 355, 654
Committee appointments—13, 23, 26
Leave of absence—976, 1424, 1993
Petitions presented—1492, 1533, 1573
Presided at sessions of the House—1362
Resolutions offered—216-217, 745-746, 2131
Subcommittee appointments—27
Subcommittee assignments—217, 218, 249, 250, 252, 336, 392, 452, 529, 530, 531, 617, 618, 706, 708, 813, 815, 898, 1046, 1161, 1686, 1916

KREWSON, LYLE R.—Representative **Polk** County
Amendments filed—304-305, 367, 557, 753, 769, 784-785, 823, 824, 934, 1025-1026, 1035-1039, 1099-1100, 1101, 1102-1103, 1103, 1112, 1127, 1148-1149, 1169, 1181, 1183, 1209, 1253, 1281, 1460-1461, 1489, 1539-1540, 1543-1544, 1547-1549, 1627-1628, 1656, 1689, 1747-1748, 1768, 1995, 2010, 2039-2041, 2048, 2193-2194
Amendments offered—778, 784, 1025, 1035, 1148, 1178, 1179, 1180, 1181, 1183, 1460, 1541, 1747, 2080, 2193
Amendments withdrawn—1179, 1180
Bills introduced—235, 236, 242, 384, 461, 485, 492, 596, 646, 656, 728, 826, 867
Committee appointments—2, 24, 26, 2187
Leave of absence—278, 883, 895, 1368, 1408, 1676
Presented to the House the Honorable Jay Mennenga, former member of the House—1846
Presided at sessions of the House—261, 955, 1943, 2024
Reports—2-4
Resolutions offered—216-217, 526, 553, 729, 745-746, 1973-1974, 2013-2014, 2131
Subcommittee appointments—26
Subcommittee assignments—143, 217, 218, 391, 393, 452, 527, 529, 530, 702, 705, 706, 708, 709, 814, 896, 897, 898, 1160, 1161, 1345, 1531, 1915, 2246, 2247

LABOR AND INDUSTRIAL RELATIONS, COMMITTEE ON—
Amendments filed—490, 1050
Appointed—25
Bills introduced—598
Recommendations—489, 556, 750-751, 1049, 1207
Subcommittee assignments—249, 251, 391, 527, 615, 617, 705, 707, 715, 813, 898, 1047

LAGESCHULTE, RAYMOND—Representative Black Hawk-**Bremer**-Butler-Counties
Amendments filed—74-75, 195-196, 286, 296-297, 298-299, 310, 311, 317-318, 546, 557, 769, 802, 823, 890, 980, 1550, 1649, 1653-1654, 1656, 1689, 1690, 1690-1691, 1691, 1717, 1760, 1768, 1847, 2038, 2039-2041, 2047
Amendments offered—311, 577, 1033, 1550, 1739, 1760, 1861
Bills introduced—191, 267, 268, 354, 460, 461, 473, 474, 492, 969
Committee appointments—25, 26
Leave of absence—220, 510, 1097, 1128, 1424
Resolutions offered—468-469
Subcommittee appointments—26
Subcommittee assignments—217, 218, 250, 453, 528, 616, 617, 706, 708, 813, 1046, 1686

LEAVE OF ABSENCE—
45, 77, 146, 189, 203, 220, 266, 278, 298, 306, 343, 353, 368, 373, 388, 399, 419, 427, 435, 439, 458, 472, 476, 491, 501, 510, 535, 537, 561, 570, 572, 577, 595, 602, 606, 622, 660, 684, 717, 733, 761, 770, 794, 796, 798, 825, 833, 855, 861, 867, 879, 883, 886, 887, 892, 895, 901, 942, 968, 971, 976, 977, 982, 994, 1003, 1007, 1052, 1063, 1097, 1101, 1103, 1114, 1128, 1154, 1171, 1194, 1211, 1213, 1258, 1291, 1321, 1322, 1349, 1368, 1399, 1408, 1424, 1463, 1467, 1482, 1496, 1512, 1513, 1518, 1521, 1534, 1544, 1563, 1573, 1579, 1586, 1636, 1648, 1665, 1674, 1676, 1693, 1701, 1718, 1762, 1795, 1820, 1826, 1848, 1866, 1873, 1878, 1904, 1910, 1919, 1924, 1928, 1974, 1986, 1987, 1993, 2016, 2039, 2049, 2071, 2086, 2097, 2099, 2115, 2117, 2124, 2157, 2171, 2207, 2214, 2234

LEGISLATIVE COUNCIL COMMITTEE—
(See also Study Committees)
Appointments to—226
Communications from—262
Resolutions relating to:
House Concurrent Resolution 8—279
House Concurrent Resolution 25—1343
House Concurrent Resolution 27—1567
House Concurrent Resolution 29—1912-1913
House Concurrent Resolution 37—1973-1974
House Concurrent Resolution 31—2013-2014
House Concurrent Resolution 32—2014
House Concurrent Resolution 33—2014-2015
House Concurrent Resolution 34—2067
House Concurrent Resolution 35—2131
House Concurrent Resolution 36—2132
House Concurrent Resolution 37—2133-2135
House Resolution 8—1558
House Resolution 10—1774
House Resolution 12—1866
House Resolution 13—2067-2068
Senate Concurrent Resolution 37—1850-1851, 1973 adopted

LEGISLATIVE EMPLOYEES—
(See Officers and Employees)

LEGISLATIVE FISCAL BUREAU—
Resolutions relating to:
House Concurrent Resolution 32—2014, 2138 adopted
House Concurrent Resolution 37—2133-2135
House Concurrent Resolution 39—2244-2245
House Resolution 13—2067-2068

LEGISLATIVE FISCAL COMMITTEE
Appointments to—226

LEGISLATIVE PHYSICIAN FOR THE DAY—
1, 45, 189, 235, 266, 278, 287, 343, 353, 368, 383, 399, 412, 427, 435, 472, 491, 559, 652, 674, 754, 875, 935, 968, 982, 1052, 1093, 1113, 1171, 1254, 1291, 1349, 1389, 1422, 1491, 1533, 1563, 1634

LEGISLATIVE SERVICE BUREAU—
Resolution relating to, House Resolution 13—2067-2068

LINCOLN'S BIRTHDAY—
John Fons of Winterset, Iowa, presented program in costume portraying Abraham Lincoln in honor of his birthday—387

LLOYD-JONES, JEAN—Representative **Johnson** County, Assistant Majority Floor Leader
Amendments filed—367, 434, 651, 673, 683, 716, 732, 753, 891, 947-948, 952, 1111, 1112, 1127, 1420, 1421, 1561, 1691-1692, 1768
Amendments offered—832, 947, 952, 1151, 1700
Amendments withdrawn—833, 1154, 1787
Appointed to the Legislative Council—226
Bills introduced—148, 231, 235, 354, 459, 475, 485, 492, 550, 653, 654, 827, 893
Committee appointments—25, 26, 133, 2249
Leave of absence—1321
Presided at sessions of the House—70, 928
Reports—134
Resolutions offered—216-217, 408, 448-449, 468-469, 526, 729, 745-746, 1212-1213, 1866, 2131
Subcommittee appointments—26
Subcommittee assignments—217, 218, 250, 251, 334, 453, 528, 530, 702, 704, 706, 708, 898, 1046, 1048, 1160

LOBBYISTS—
(See Ethics, Committee On)

LOCAL GOVERNMENT, COMMITTEE ON—
Amendments filed—382, 471, 716, 822, 1127
Amendments offered—503, 537
Appointed—25
Bills introduced—190, 267, 386, 447, 549, 549-550, 550, 595, 595-596, 674, 758, 792, 793, 876, 969
Recommendations—256, 381-382, 410, 433-434, 470-471, 489-490, 534, 556, 671-672, 715, 751, 821, 1050, 1124-1125, 1165-1166, 1207
Reports—153
Subcommittee assignments—143, 144, 218, 249, 250, 251, 335, 392, 393, 451, 453, 528, 530, 531, 616, 617, 703, 704, 705, 706, 707, 708, 709, 812, 813, 814, 815, 897, 1047, 1160

LONERGAN, JOYCE—Representative **Boone**-Story Counties
Amendments filed—934, 1111, 1208, 1420, 1490, 2047
Amendments offered—725, 1493, 1495

Amendments withdrawn—1494, 1495
Bills introduced—148, 259, 268, 413, 414, 458, 459, 473, 893
Committee appointments—24, 25, 78, 600
Leave of absence—1563, 1693, 2049
Petitions presented—1390, 1564
Presented to the House the Honorable Opal Miller Sergant, former member of the House—387
Presented to the House the Honorable William Monroe, former member of the House—1287
Presided at sessions of the House—416, 660
Remarks by—6-7
Resolutions offered—216-217, 448-449, 468-469, 553, 745-746, 1688-1689, 2013-2014, 2244-2245
Rulings made—665
Subcommittee appointments—27
Subcommittee assignments—217, 527, 529

MAJORITY FLOOR LEADER, Lowell E. Norland—Representative Cerro Gordo-Winnebago-**Worth** Counties
(See Norland, Lowell E.—Representative Cerro Gordo-Winnebago-**Worth** Counties, Majority Floor Leader)

MAULSBY, RUHL—Representative **Calhoun**-Sac-Webster Counties
Amendments filed—193, 296-297, 298-299, 300, 302, 304, 310, 311, 534, 546, 823, 824, 835-836, 850, 980, 1168, 1169, 1210, 1252, 1649, 1653-1654, 1663, 1689, 1690, 1690-1691, 1691, 1717, 1768, 1794, 1993, 2010
Amendments offered—1028, 1365, 1736, 1826, 1871
Amendments withdrawn—1747
Bills introduced—147, 222, 259, 288, 370, 473, 513, 727-728, 728, 735, 825-826, 969
Committee appointments—17-18, 24, 26, 1789, 2023
Petitions presented—1492, 1564
Reports—41-43, 1878-1881, 2226-2231
Resolutions offered—468-469, 1204-1205, 1973-1974, 2067-2068
Subcommittee appointments—27, 244-245, 251
Subcommittee assignments—217, 250, 392, 453, 530, 617, 703, 706, 707, 812, 898, 1048, 1162, 1687

McINTEE, JOHN—Representative **Black Hawk** County
Amendments filed—187, 298-299, 300, 302, 303, 315-316, 317-318, 418, 509, 546, 556, 557, 823, 824, 850, 899, 900, 934, 980, 1252, 1348, 1388, 1420, 1561, 1562, 1617-1619, 1663, 1689, 1690, 1691, 1833-1834, 1839, 1970, 2123, 2147-2148
Amendments offered—317, 571, 580, 1012, 1463, 1731, 1740, 1839
Amendments withdrawn—1233
Bills introduced—147, 148, 191, 235, 369, 428, 460, 461, 472, 511, 513, 549, 551, 645, 825-826, 969
Committee appointments—24, 25
Leave of absence—189, 266
Petitions presented—1848
Presided at sessions of the House—2101

Resolutions offered—468-469
Subcommittee appointments—27, 244-245, 531
Subcommittee assignments—144, 251, 392, 451, 452, 529, 530, 703, 704, 707 709, 814, 815, 899, 1047, 1160, 1161, 1162

McKEAN, ANDREW (ANDY)—Representative **Jones**-Linn Counties
Amendments filed—195-196, 298-299, 310, 311, 312-313, 557, 753, 769, 784-785, 824, 850, 873, 874, 891, 900, 927, 934, 951, 1099-1100, 1101, 1102-1103, 1103, 1208, 1209, 1290, 1420, 1462, 1562, 1627-1628, 1663, 1664, 1689-1690, 1768, 1993, 1994, 1995, 2010, 2039-2041, 2047, 2097-2098
Amendments offered—540, 797, 911, 927, 949, 951, 958, 1437, 1993, 1994, 1995
Amendments withdrawn—928, 1395
Bills introduced—242, 288, 370, 492, 597-598, 656
Committee appointments—2, 24, 25, 26, 157, 401, 429, 1789
Leave of absence—1128, 1349, 1636, 2214
Petitions presented—383, 1770, 2012
Presented to the House the Honorable Frank Shimanek, former member of the House—1530
Presided at sessions of the House—441
Reports—2-4, 1878-1881
Resolutions offered—216-217, 401, 526, 745-746, 2131
Subcommittee appointments—26, 244-245
Subcommittee assignments—144, 218, 251, 335, 336, 453, 528, 529, 530, 531, 617, 702, 704, 705, 707, 708, 709, 813, 815, 898, 1045, 1046, 1047, 1048, 1162

MEMORIALS—
Committees appointed—386-387, 401, 402, 429, 656, 743
In memoriam list—965-966, 2520
Joint Memorial Session—963-967
Memorial Services Committee appointed—600
Memorials—963-964, 2521-2528
Resolution relating to, HCR 13—468, 486 adopted
Resolutions relating to—386-387, 401, 402, 429, 656, 743

MENKE, LESTER D.—Representative Cherokee-Clay-**O'Brien** Counties
Amendments filed—74-75, 187, 193, 203, 382, 534, 546, 824, 1050, 1170, 1208, 1209, 1640-1647, 1653-1654, 1689, 1691, 1717, 1768, 1794
Amendments offered—193, 1054, 1755
Amendments withdrawn—942
Appointed to the Legislative Council—226
Bills introduced—57, 242, 460, 969
Committee appointments—24, 2118, 2249
Leave of absence—306, 572, 1154, 1408, 1463, 2097, 2207
Petitions presented—1211, 1291, 1390, 1492, 1533, 1564
Presented to the House the Honorable Warren Johnson, former member of the House—763
Presided at sessions of the House—22, 516, 601, 2063, 2101, 2203
Remarks by—7-8
Resolutions offered—729

Subcommittee appointments—26
Subcommittee assignments—251, 335, 393, 453, 531, 703, 707, 708, 814, 897

MESSAGES—
(Also see Communications, Joint Conventions and Addressed the House)
From Governor Terry E. Branstad—2249-2254
From Senate—18, 45, 77, 95, 146-147, 156, 246, 289, 344, 350, 358, 370-371, 386, 399, 415, 429-430, 432, 436, 463, 475, 486-487, 494-495, 514, 535, 552-553, 559-560, 599, 622-623, 648, 656-657, 675, 736, 744-745, 756, 809-810, 868-869, 878-879, 893-894, 906-908, 930, 941, 971, 982-983, 1004, 1042-1044, 1053, 1066-1067, 1089, 1095, 1097, 1108, 1113-1114, 1115, 1157, 1183, 1254-1256, 1258, 1350-1353, 1384-1385, 1399, 1423-1424, 1492-1493, 1514-1515, 1529, 1534-1535, 1564, 1573-1574, 1631, 1635, 1666, 1672, 1701, 1719, 1727, 1770-1771, 1788, 1789, 1808, 1843-1844, 1848-1850, 1867, 1878, 1920, 1924-1925, 1965, 1971-1972, 1974-1975, 1989, 2005, 2012, 2022, 2032, 2036, 2049, 2084, 2117-2118, 2124-2126, 2130-2131, 2136, 2152, 2157-2158, 2186, 2188, 2206-2207, 2226, 2243-2244
Immediate messages—76, 94-95, 95, 106, 128, 226, 260, 346, 486, 668, 725, 762, 889, 954, 978, 1014, 1041-1042, 1066, 1081, 1088, 1108, 1123, 1175, 1185, 1203, 1378, 1380, 1519, 1522, 1525, 1552, 1567, 1583, 1626, 1639 1658, 1669, 1712, 1726, 1763, 1774, 1786, 1788, 1802, 1811, 1832, 1844, 1857, 1865, 1873, 1876, 1878, 1909, 1920, 1922, 1924, 1930, 1953, 1964, 1978, 1985, 1988, 1989, 1999, 2001, 2015, 2020, 2042, 2056, 2060, 2062, 2069, 2071, 2075, 2082, 2083, 2089, 2117, 2130, 2141, 2144, 2149, 2161, 2172, 2204
Item veto messages—2478-2516
Request for immediate message withdrawn—1784
Senate messages considered—289, 357, 370, 373, 400, 414-415, 428-429, 436, 448, 475-476, 493-494, 496, 543, 598-599, 647-648, 659-660, 675-676, 689, 754-756, 759, 761, 793-794, 839-841, 877-878, 936-941, 969-970, 1004, 1053, 1064-1066, 1094-1095, 1097, 1113, 1115-1116, 1391, 1438-1439, 1534, 1564, 1693-1694, 1701, 1727, 1775, 1844, 1865, 1920, 1926-1927, 1966-1967, 1972, 1975, 2037, 2127, 2137
Veto messages—2471-2477

MILEAGE, COMMITTEE ON—
Appointments to—17-18
Reports—41-43, 45-46

MILLER, LEO P.—Representative **Woodbury** County
Amendments filed—457, 534, 732, 866, 890, 963, 1209, 1253, 1290, 1420, 1421, 1652, 1691, 1709, 1717, 1768, 2010, 2047, 2123
Amendments offered—465, 1320
Amendments withdrawn—1242
Bills introduced—221, 235, 354, 368-369, 512, 513, 549
Committee appointments—24, 25, 26, 1670
Petitions presented—1634
Reports—2084-2085
Resolutions offered—216-217, 448-449, 1688-1689
Subcommittee appointments—26
Subcommittee assignments—143, 249, 250, 251, 452, 527, 529, 531, 617, 703, 705, 707, 708, 814, 898, 1048, 1160, 1162

MINORITY FLOOR LEADER, Delwyn Stromer—Representative Franklin-**Hancock**-Wright Counties
(See Stromer, Delwyn—Representative Franklin-**Hancock** Wright Counties, Minority Floor Leader)

MOTIONS TO RECONSIDER—
Filed:
House File 37—864
House File 48—506
House File 74—506
House File 100—1384, 1417
House File 120—364
House File 131—488
House File 140—544
House File 176—1485
House File 176, H-3774—1486
House File 184—409
House File 199—846
House File 343—639
House File 377—1486
House File 440—846
House File 446—960
House File 512—960
House File 514—864, 1630, 1659
House File 514, H-3843 & H-3865A—1631
House File 535, H-3491—1088, 1089
House File 614—1528, 1529
House Resolution 3—205
Senate Concurrent Resolution 13—1846
Senate File 51—700
Senate File 116—668
Senate File 161—1557
Senate File 221—1342
Senate File 223—1287
Senate File 327—1342
Senate File 356—1250
Senate File 368—1250
Senate File 399—1251
Senate File 434—1158
Senate File 435—1251
Senate File 450—1158
Senate File 495, H-3650 to H-3591—1251
Senate File 495, H-3803 & H-3795—1486
Senate File 495, H-3591O—1487
Lost:
House Resolution 3—223-224
Senate File 450—1250
Senate File 495, H-3795—1511
No longer valid:
House File 74—2248
House File 535, H-3491—2248

Senate File 161—2248
Senate File 327—2248

Prevailed:
House File 120—445
House File 176—1535
House File 176, H-3774—1535
House File 440—1588
House File 446—1586
House File 514—1097-1098
House File 514—1961-1962
House File 514, H-3843—1962
House File 614—1564-1565
Senate File 223—1379
Senate File 495, H-3650 to H-3591—1382
Senate File 495, H-3591O—1512

Ruled out of order:
House File 514—1962
House File 614—1565
Senate File 450—1250

Withdrawn:
House File 37—1005
House File 48—542
House File 100—1457
House File 131—505
House File 140—613
House File 184—415
House File 199—1088
House File 343—960
House File 377—1518
House File 512—1013
House File 514, H-3843—1963
Senate Concurrent Resolution 13—1528
Senate File 51—1057
Senate File 116—1528
Senate File 221—1518-1519
Senate File 356—1518
Senate File 368—1293
Senate File 399—1518
Senate File 434—1245
Senate File 435—1518
Senate File 495, H-3803 & H-3591O—1512

Motions to reconsider (from the floor):
House Concurrent Resolution 2, H-3018—127
House Concurrent Resolution 2, H-3017—128
House File 37, H-3311—844
House File 46, H-3123—444
House File 312—588
House File 312, H-3872 to H-3871E—1622
House File 442, H-3343—1006

House File 514—1108
House File 563—929
House File 634, H-3920—1761
House File 634—1784
House File 634, H-3982—1785
House File 641, H-4058—1838
House File 641, H-4047—1842
House File 644, H-4193—2057
House File 658—1988
Senate File 92, H-3230A—2105
Senate File 184—333
Senate File 207—679
Senate File 207, H-3228—679
Senate File 223, H-3696—1283
Senate File 223, H-3727—1284
Senate File 223, H-3578—1379
Senate File 464, H-3593—1181
Senate File 474, H-3618—1202
Senate File 530, H-4015—1809

Lost:

House Concurrent Resolution 2, H-3018—127
House File 37, H-3311—844
House File 442, H-3343—1006
House File 641, H-4058—1839
House File 653—1989
Senate File 92, H-3230A—2106
Senate File 223, H-3696 to H-3578—1283
Senate File 223, H-3578—1379
Senate File 530, H-4015—1810

Prevailed:

House Concurrent Resolution 2, H-3017—128
House File 312, H-3872 to H-3871E—1623
House File 634—1785
House File 634, H-3982—1785
House File 641, H-4047—1842
House File 644, H-4193—2057
Senate File 207—679
Senate File 207, H-3228—680
Senate File 223, H-3727—1284
Senate File 464, H-3593—1183
Senate File 474, H-3618—1202

Ruled out of order:

House File 514—1108

Withdrawn:

House File 46, H-3123—444
House File 634, H-3920—1761

Motions to reconsider, tabled—(from the floor):

House File 312—588
House File 514—1108

House File 563—929-930
Senate File 184—333
Motion to withdraw, lost:
House Concurrent Resolution 2, H-3018—127

MUHLBAUER, LOUIS J.—Representative **Crawford**-Shelby Counties
Amendments filed—823, 934, 963, 1091, 1664, 1691-1692, 1717, 1768, 1794, 1817
Bills introduced—147, 288, 413, 473, 510, 655
Committee appointments—23, 24; 26
Leave of absence—794, 1573
Petitions presented—1634
Presented to the House the Honorable Frank Crabb, former member of the House—475
Presided at sessions of the House—2139
Resolutions offered—216-217, 729, 745-746, 2067, 2131
Subcommittee appointments—27
Subcommittee assignments—249, 250, 251, 335, 336, 452, 528, 617, 705, 709, 898

MULLINS, SUE—Representative Humboldt-**Kossuth**-Palo Alto-Pocahontas Counties
Amendments filed—88-89, 193, 195-196, 298-299, 304-305, 317-318, 411, 418, 509, 557, 625, 769, 802, 824, 980, 1169, 1208, 1348, 1420, 1561, 1649, 1663, 1664, 1689, 1691-1692, 1710, 1768, 1794, 1993, 1995, 2047, 2066
Amendments offered—418, 600, 625, 799, 802, 1015, 1191, 1200, 1729, 2065
Appointed to the Energy Policy Council—261
Bills introduced—123, 222, 223, 235, 268, 355, 356, 356-357, 458, 459, 647, 656, 893
Committee appointments—13, 24, 401, 2037
Escorted to the Speaker's station and presented to the House Mrs. Orval (Jane) Freeman, National President of the Girl Scouts of the United States of America—658-659
Leave of absence—203, 266, 427, 537, 684, 1063, 1103, 1482, 2157
Presented to the House the Honorable Karl Kiilsholm, former member of the House—1529
Presided at sessions of the House—72
Reports—2060-2062
Resolutions offered—216-217, 401, 526, 745-746, 1688-1689, 2013-2014, 2014, 2131
Subcommittee appointments—27
Subcommittee assignments—250, 454, 812

MUSICAL PRESENTATION, SPECIAL—
Joint Memorial Session—963-967
Lake Mills High School Band and Lake Mills Community Chorus—131
Legislative Chorus—968
Two quintets representing the Southeast Iowa Symphony Orchestra—18

NATURAL RESOURCES, COMMITTEE ON—
Amendments filed—594, 1126, 1168
Amendments offered—985, 1225, 1248
Appointed—25
Bills introduced—514, 645-646, 675, 742, 760-761, 791, 792-793, 902, 1003

Recommendations—234, 426, 508, 593, 650, 739, 766-767, 979, 1125, 1166
Subcommittee assignments—248, 250, 335, 336, 528, 703, 705, 707, 708, 709, 814, 899, 1161

NOMINATIONS—
For Acting Chief Clerk—1
For Permanent Chief Clerk—333
For Speaker of the House—6-9
For Speaker Pro Tempore—13-15
For Temporary Speaker—1

NONCONTROVERSIAL CALENDAR—
Removed from:
House File 80—614
House File 362—700-701
House File 444—854
House File 509—839
Senate File 213—854

NORLAND, LOWELL E.—Representative Cerro Gordo-Winnebago-**Worth** Counties, Majority Floor Leader
Amendments filed—1582
Appointed to the Legislative Council & the Legislative Fiscal Committee—226
Bills introduced—1286-1287, 1590, 1844, 1924
Committee appointments—24, 78
Leave of absence—684
Petitions presented—1795
Presented to the House the Honorable Harold Mueller, former member of the House—1529
Presented to the House the Honorable Jerry Fitzgerald, former member of the House—444
Presented to the House the Honorable Jim West, former member of the House—201
Presented to the House the Honorable Rollie Howell, former member of the House—364
Remarks by—6
Resolutions offered—13, 97, 216-217, 448-449, 468-469, 544, 734, 839
Subcommittee assignments—896, 897, 1160, 1531, 2247

OATH OF OFFICE—
By Acting Chief Clerk, Joseph O'Hern—1
By Governor-elect Terry E. Branstad—135
By Lieutenant Governor-elect Robert T. Anderson—135
By Members of the House—4-6
By Permanent Chief Clerk, Joseph O'Hern—333
By Temporary Speaker, Dale Cochran—1

OBJECTIONS—
Raised—94-95, 97, 127, 244, 282, 290, 328, 360, 362, 421, 504, 578, 586, 666, 762, 770, 794, 809, 835, 836, 841, 844, 859, 882, 904, 952, 1022, 1060, 1063, 1067, 1081,

1104, 1154, 1178, 1202, 1229, 1308, 1320, 1322, 1335, 1379, 1383, 1395, 1398, 1444, 1449, 1452, 1482, 1574, 1622, 1640, 1699, 1741, 1747, 1920, 1988, 2037, 2078, 2098, 2226
Withdrawn—770-771

OFFICERS AND EMPLOYEES—
Elected Dale Cochran, Temporary Speaker—1
Elected Joseph O'Hern acting Chief Clerk—1
Elected Joseph O'Hern permanent Chief Clerk—333
Elected the Honorable Donald D. Avenson, Speaker of the House—6-9
Elected the Honorable John H. Connors, Speaker Pro Tempore—13-15
Employees appointed—20-21
Members of the House—4-6
Pages—20-21
Pay grades and steps, list of—98-103, 151, 280, 389
Resignations—151, 1715
Resolutions relating to:
House Concurrent Resolution 3, SCR 3 substituted, adopted—78
House Resolution 1—16-17 adopted
House Resolution 2—17 adopted
Senate Concurrent Resolution 3, 78, substituted for HCR 3—79-94 adopted
Special presentation to House Pages—745, 2021
Took oath of office—1, 135, 333

O'KANE, JAMES D.—Representative **Woodbury** County
Amendments filed—509, 716, 850, 890, 900, 934, 944, 1420, 1421, 1523, 1523-1524, 1561, 1689, 1690, 1709, 1768, 2010
Amendments offered—345, 605, 950, 953, 958, 1523
Amendments withdrawn—944, 1750
Bills introduced—126, 191, 222, 235, 236, 267, 288, 354, 355, 458, 492, 552, 646, 654, 828
Committee appointments—19, 25, 26, 2118, 2206
Leave of absence—535, 861, 1693
Petitions presented—435
Presided at sessions of the House—1014, 1802
Reports—2206
Resolutions offered—216-217, 279, 448-449, 468-469, 553, 1204-1205, 1567
Subcommittee appointments—27
Subcommittee assignments—250, 335, 392, 393, 452, 531, 616, 617, 706, 708 813, 814, 815, 897, 1047, 1160

OLLIE, ARTHUR C.—Representative **Clinton** County
Amendments filed—411, 934, 1017-1020, 1561, 1691-1692, 1768, 1847, 1945, 2010, 2011, 2030-2031, 2047
Amendments offered—1945
Bills introduced—148, 221, 235, 242, 289, 428, 513, 549, 688
Committee appointments—24, 25, 2187
Leave of absence—1676
Petitions presented—412, 1350, 1390, 1422, 1564, 1665
Presided at sessions of the House—1178, 2195

Reports—2201-2202
Resolutions offered—216-217, 468-469, 729, 745-746, 1973-1974, 2013-2014, 2014, 2132
Subcommittee appointments—27
Subcommittee assignments—217, 218, 249, 250, 251, 529, 530, 616, 617, 702, 705, 812

OSTERBERG, DAVID—Representative Cedar-**Linn** Counties
Amendments filed—557, 716, 873, 891, 900, 1051, 1111, 1112, 1127, 1420, 1539-1540, 1547-1549, 1561, 1572, 1633, 1691-1692, 1759, 1768, 1833-1834, 1906, 1970, 1993, 2000, 2010, 2047
Amendments offered—574, 1083, 1539, 1694, 1759, 1780, 1833, 1852, 1906, 2000, 2026, 2066, 2080
Amendments withdrawn—2026
Bills introduced—235, 356, 597, 733, 826, 827
Committee appointments—24, 25, 26, 401
Leave of absence—419, 1910
Petitions presented—547
Resolutions offered—216-217, 526, 745-746, 1204-1205, 2131
Subcommittee appointments—27
Subcommittee assignments—217, 248, 250, 252, 335, 392, 451, 452, 528, 529, 616, 617, 703, 706, 813, 1046, 1160

OXLEY, MYRON B. (MIKE)—Representative **Linn** County
Amendments filed—1562, 1691-1692, 1717, 1768, 1833-1834, 1970, 2010
Bills introduced—236, 241, 356, 413, 511, 733, 969
Committee appointments—25, 26, 401
Leave of absence—892, 1128
Resolutions offered—468-469, 526, 553, 745-746
Subcommittee appointments—26, 27
Subcommittee assignments—143, 393, 453, 617, 708, 812, 815, 1346

PAGES—
Appointments of—20-21
Presented check to the Ronald McDonald House—1635
Resolutions relating to:
House Resolution 2—17 adopted
Senate Concurrent Resolution 3—78, 79-93, 94 adopted
Special presentation to—745, 2021

PARKER, EDWARD G.—Representative **Jasper**-Marion-Polk-Warren Counties
Amendments filed—342, 367, 434, 509, 557, 558, 586, 621, 625, 683, 891, 981 1092, 1208, 1209, 1210, 1252, 1253, 1388, 1561, 1617-1619, 1691, 1768, 1794, 1847, 1996-1998, 2010-2011
Amendments offered—517, 521, 625, 835, 1475, 1996
Bills introduced—155, 267, 354, 355, 368-369, 427, 461, 492-493, 547, 645, 654
Committee appointments—24, 25, 27, 46, 1789, 2028
Reports—1878-1881, 2214-2225
Resolutions offered—216-217, 408, 448-449, 729, 745-746, 2013-2014, 2131, 2133-2135
Subcommittee appointments—244-245
Subcommittee assignments—143, 218, 249, 252, 391, 392, 393, 453, 528, 702, 703, 705, 1046, 1048, 1160, 1162

PAULIN, DONALD J.—Representative **Plymouth**-Woodbury Counties
Amendments filed—304-305, 824, 1388, 1420, 1656, 1663, 1664, 1689, 1690, 1691-1692, 1705, 1706-1707, 1707-1708, 1717, 1768, 2010
Bills introduced—368, 428, 460, 461, 472, 492, 510
Committee appointments—24, 25
Leave of absence—45, 77, 825, 1101, 1910
Petitions presented—1919
Resolutions offered—216-217
Subcommittee appointments—26, 27, 244-245
Subcommittee assignments—144, 392, 393, 453, 530, 531, 704, 707, 708, 814, 1048, 1161

PAVICH, EMIL S.—Representative **Pottawattamie** County
Amendments filed—434, 672, 900, 980, 1091, 1420, 1462, 1562, 1768
Amendments offered—1425
Appointed to the Iowa Boundary Commission—896
Bills introduced—125, 126, 147, 148, 235, 236, 242, 354, 355, 356, 369, 461, 513, 654, 655
Committee appointments—12, 26
Honored by the Girl Scouts of America as "Legislator of the Year"—663
Leave of absence—1693, 1795, 1848, 1924, 2016, 2049, 2124, 2157
Petitions presented—1211, 1350
Resolutions offered—216-217, 408, 468-469, 553, 729, 1204-1205, 1212-1213
Subcommittee appointments—27
Subcommittee assignments—143, 144, 218, 334, 391, 452, 527, 528, 530, 531, 616, 617, 702, 703, 707, 813, 897, 899, 1161

PEICK, DORIS A.—Representative **Linn** County
Amendments filed—823, 934, 1253, 1511, 1543-1544, 1561, 1652, 1691-1692, 1717, 1768, 1847, 2010, 2047
Bills introduced—147, 148, 221, 235, 236, 242, 354, 356, 459, 513, 646, 654, 893
Committee appointments—24, 25, 208, 2206
Leave of absence—1052
Petitions presented—412, 825, 892, 901, 935, 968, 982, 1052, 1634
Presented to the House the Honorable Nancy Stevenson, former Lieutenant Governor of South Carolina—1287
Resolutions offered—216-217, 468-469, 553, 729, 745-746, 1688-1689, 2013-2014
Subcommittee appointments—27
Subcommittee assignments—249, 250, 252, 335, 391, 703, 709, 812, 813, 815, 1046, 1047

PELLETT, WENDELL C.—Representative **Cass**-Harrison-Pottawattamie-Shelby Counties
Amendments filed—187, 203, 298-299, 300, 310, 311, 313-314, 426, 434, 594, 672, 823, 934, 980, 1420, 1653-1654, 1656, 1689-1690, 1690, 1690-1691, 1691, 1705, 1706-1707, 1707-1708, 1717, 1733-1734, 1768
Amendments offered—300, 439, 1705, 1706, 1707, 1733
Bills introduced—191, 287, 288, 384, 385, 412, 428, 825-826
Committee appointments—23, 25, 26
Leave of absence—1919, 1974
Petitions presented—1291, 1422, 1492
Presented to the House the Honorable Bill Darrington, former member of the House—407

Presented to the House the Honorable Lester Kluever, former member of the House—1789
Resolutions offered—408, 1212-1213, 2067-2068, 2131
Subcommittee appointments—27
Subcommittee assignments—218, 335, 392, 452, 453, 617, 703, 705, 709, 1161

PERSONNEL COMMITTEE—
(See Rules and Administration Committee and/or Officers and Employees)

PETITIONS—
(Also see individual listings)
Filed—146, 258, 287, 383, 412, 435, 484, 547, 559, 595, 644, 652, 684, 733, 754, 825, 851, 875, 892, 901, 935, 968, 982, 1052-1053, 1093, 1211, 1291, 1349-1350, 1389-1390, 1422, 1491-1492, 1533-1534, 1563-1564, 1573, 1634, 1665, 1693, 1718, 1770, 1795, 1848, 1919, 1971, 2012, 2049, 2124, 2246

PIONEER LAWMAKERS ASSOCIATION OF IOWA—
Address by Governor Terry E. Branstad—1516-1517
Program by—1515-1517
Resolution relating to, HCR 15—544, 648 adopted
The Honorable John Connors, Speaker pro tempore welcomed the Pioneer Lawmakers on behalf of the House—1516

POINTS OF ORDER RAISED—
House Concurrent Resolution 2, H-3018-Representative Schroeder—127
House File 35, H-3331-Representative Renaud—1080
House File 42, H-3222-Representative Pellett—722
House File 81-Representative Stromer—603
House File 196, H-3121-Representative Chiodo—421
House File 271-Representative Welden—957
House File 312, H-3186-Representative Blanshan—563
House File 312, H-3199-Representative Chiodo—564
House File 342-Representative Welden—665
House File 362, H-3253-Representative Halvorson of Webster—835
House File 406-Representative Schnekloth—882
House File 422-Representative Hummel—759
House File 442-Representative Schroeder—1006
House File 508, H-3276-Representative Muhlbauer—1082
House File 511, H-3439 & H-3433-Representative Schroeder—948
House File 514, H-3535-Representative Chiodo—1103
House File 514, H-3528-Representative Holveck—1104
House File 514, H-3865B-Representative Lonergan—1629
House File 517, H-3518-Representative Lonergan—1073
House File 517, H-3460-Representative Cochran—1074
House File 563, H-3380-Representative Halvorson of Webster—904
House File 563, H-3414-Representative Connolly—919
House File 563, H-3415-Representative Connolly—920
House File 563, H-3382-Representative Connolly—925
House File 563, H-3419-Representative Halvorson of Webster—927

House File 634, H-3928-Representative Chiodo—1729
House File 634, H-3931-Representative Chiodo—1731
House File 634, H-3947-Representative Chiodo—1741
House File 634, H-3948-Representative Chiodo—1742
House File 634, H-3956-Representative Chiodo—1747
House File 634, H-3983-Representative Schnekloth—1760
House File 644, H-4054-Representative Knapp—1859
House File 653-Representative Stromer—1988
Senate Concurrent Resolution 8, H-3105-Representative Halvorson of Webster—377
Senate Concurrent Resolution 8-Representative Schroeder—388
Senate Concurrent Resolution 13, H-3706-Representative Clark of Cerro Gordo—1452
Senate Concurrent Resolution 13, H-3813-Representative Daggett—1454
Senate File 92, H-3266-Representative Schroeder—2109
Senate File 96, H-3254-Representative Bennett—1154
Senate File 184, H-3057-Representative Halvorson of Webster—297
Senate File 184, H-3057, suspend rule-Representative Stromer—297
Senate File 184, H-3058-Representative Doderer—299
Senate File 184, H-3059-Representative Doderer—301
Senate File 184, H-3062-Representative Doderer—302
Senate File 184, H-3063-Representative Doderer—303
Senate File 184, H-3065-Representative Arnould—304
Senate File 184, H-3066-Representative Doderer—305
Senate File 184, H-3077-Representative Doderer—307
Senate File 184, H-3064-Representative Chiodo—309
Senate File 184, H-3071-Representative Doderer—316
Senate File 184, H-3070-Representative Doderer—318
Senate File 184, H-3073-Representative Arnould—327
Senate File 184, H-3076-Representative Doderer—330
Senate File 184, H-3083-Representative Doderer—331
Senate File 221, H-3576-Representative Hammond—1335
Senate File 288-Representative Stromer—604
Senate File 302, H-3755B-Representative Rosenberg—1443
Senate File 302, H-3755C-Representative Rosenberg—1444
Senate File 302, H-3786-Representative Halvorson of Clayton—1447
Senate File 380, H-3761-Representative Schnekloth—1699
Senate File 386, H-3281-Representative Krewson—791
Senate File 386, H-3270-Representative Tabor—805
Senate File 402, H-3412-Representative Koenigs—1134
Senate File 464-Representative Krewson—1178
Senate File 493, H-3694-Representative Hoffmann-Bright—1319
Senate File 493, H-3749-Representative Arnould—1321
Senate File 495, H-3665-Representative Schnekloth—1482
Senate File 503, H-3754-Representative Knapp—1578
Senate File 531, H-3996C-Representative Varn—1817
Senate File 531, H-3998-Representative Jochum—1823
Senate File 531, H-3989-Representative Woods—1829
Senate File 532, H-4072-Representative Sherzan—1872
Senate File 543, H-4161-Representative Connolly—2041
Senate File 544, H-4183-Representative Koenigs—2129

Senate File 551, H-4184-Representative Blanshan—2078
Senate File 556, H-4235-Representative Lonergan—2139

PONCY, CHARLES N.—Representative **Wapello** County
Amendments filed—1652, 1691-1692, 1717, 1768, 2023-2024
Bills introduced—190, 191, 221, 355, 357, 414, 472, 549, 550, 654
Committee appointments—15, 24, 25, 209, 1516
Leave of absence—1674
Petitions presented—1390, 1492, 1718, 2049
Presided at sessions of the House—692, 1381, 1853
Resolutions offered—216-217, 448-449, 468-469, 526, 745-746, 1973-1974
Subcommittee appointments—26
Subcommittee assignments—218, 249, 392, 393, 451, 453, 529, 615, 814

PRESIDENT OF THE UNITED STATES, CONGRESS AND/OR FEDERAL AGENCIES—
Resolutions relating to:
House Concurrent Resolution 6, nuclear arms freeze—216-217, 240, 243-244 amended and adopted
House Concurrent Resolution 9, natural gas—371-372
House Concurrent Resolution 10, federal reserve power to create money; audit of—407-408
House Concurrent Resolution 13, birthday of Dr. Martin Luther King, Jr., national holiday—468-469
House Concurrent Resolution 17, coal slurry legislation—729, 1128 adopted
House Concurrent Resolution 19-negotiation with El Salvador—745-746
House Resolution 5, soil & water conservation—448-449
House Resolution 9, acid rain pollution—1687-1688
House Resolution 14, funding, veterans centers—2120-2121, 2138 adopted
Senate Concurrent Resolution 7, veterans complaints, health and genetic exposure, atomic radiation—908-909
Senate Concurrent Resolution 15, unemployment trust fund, interest charged & advances—657-658
Senate Concurrent Resolution 21, economic emergency loans, farmers and businesses—908, 910-911
Senate Concurrent Resolution 26, HR 1646, RR Retirement Solvency Act of 1983—1925-1926, 2130 adopted

PRESS, MEMBERS OF—
Assignment of seats in press gallery—232-233

PRINTING DIVISION OF GENERAL SERVICES—
Resolution relating to:
Journals, bills, etc., furnished to county auditors, also to Iowa congressional delegation, SCR 1—56-57 adopted

PROFESSIONAL AND OCCUPATIONAL REGULATION, COMMISSION ON—
Communication from—432

PROOF OF PUBLICATION—
House File 181—358
House File 244 (published as HF 181)—679
House File 355—960
House File 437—668-669
Senate File 428—960

PUBLIC HEARING—
Cancelled:
Re sales tax—386
Senate Concurrent Resolution 8 (bonding for UofI hospitals—268

QUORUM CALLS—
126, 192, 280, 281, 331, 358, 387, 903, 971, 982, 1003, 1213, 1408, 1424, 1543, 1694, 1866, 2032, 2036, 2136, 2172, 2204

RAY, GOVERNOR ROBERT D.—
(See Governor Ray, Robert D.)

REGENTS, BOARD OF—
Communication-Report-
Ten-Year Building Program—185
Resolutions relating to:
House Concurrent Resolution 7—236-237, 342, 389 withdrawn
Senate Concurrent Resolution 8—246-247, 268, 336, 352, 374-377, 388-389 adopted
Senate Concurrent Resolution 13—675, 677-679, 811, 819, 897, 934, 1109-1110, 1170, 1209, 1253, 1449-1455 adopted, 1486, 1528

RENAUD, DENNIS L.—Representative **Polk** County
Amendments filed—367, 594, 823, 980, 1208, 1253, 1652, 1691-1692, 1717, 1768, 1847, 2010
Amendments offered—1079, 1396
Appointed to the Communications Review Committee—889
Bills introduced—147, 148, 242, 259, 288, 354, 355, 356, 369, 428, 460, 472, 493, 510, 597, 654
Committee appointments—25, 26
Leave of absence—982
Petitions presented—1390, 1770, 1795
Presided at sessions of the House—696, 771
Resolutions offered—216-217, 468-469, 526, 745-746
Subcommittee appointments—27
Subcommittee assignments—217, 218, 249, 250, 334, 335, 392, 393, 452, 453, 528, 530, 615, 616, 617, 703, 705, 706, 707, 708, 709, 812, 813, 814, 898, 1047

RENKEN, ROBERT H.—Representative Butler-**Grundy** Counties
Amendments filed—69, 70, 71, 72, 300, 302, 310, 311, 352, 426, 478, 546, 557, 594, 823, 824, 1252, 1483, 1653-1654, 1689, 1691, 1717, 1768, 1804-1805, 1807, 1817, 1994, 1995, 2010

Amendments offered—442, 1483
Appointed to the Iowa Advisory Commission on Intergovernmental Relations—506
Bills introduced—147, 235, 259, 287, 288, 385, 492, 825-826
Committee appointments—25, 26, 156, 2206
Petitions presented—851, 875, 1052
Presented to the House the Honorable Cooper Evans, United States Congressman and former member of the House—12
Presided at sessions of the House—832, 1782
Resolutions offered—2067-2068
Rulings made—835
Subcommittee appointments—27
Subcommittee assignments—250, 251, 335, 393, 452, 453, 530, 616, 702, 708, 709, 815, 1045, 1046, 1160, 1687

RENSINK, WILMER—Representative Plymouth-**Sioux** Counties
Amendments filed—195-196, 296-297, 298-299, 313-314, 328, 546, 824, 1689, 1690, 1691, 1706-1707, 1717, 1768
Bills introduced—147, 259, 353, 511, 825
Committee appointments—23, 24, 26
Leave of absence—606, 833, 1904
Petitions presented—559
Subcommittee appointments—26
Subcommittee assignments—143, 249, 336, 452, 528, 531, 709, 831, 899

REPORTS—
(See Communications and/or individual headings)

RESIGNATIONS—
(See also Officers and Employees)
Research analyst, N. John Boehm—151
Assistant Legal Counsel, Christine K. Bishop—1715

RESOLUTIONS—
(See Legislative Index Volume)

ROSENBERG, RALPH—Representative **Story** County
Amendments filed—352, 367, 509, 557, 568, 900, 934, 981, 1051, 1092, 1099-1100, 1101, 1102-1103, 1103, 1111, 1127, 1209, 1253, 1281, 1388, 1420, 1543-1544, 1561, 1627-1628, 1663, 1690, 1759, 2011, 2047, 2099-2100, 2147-2148
Amendments offered—502, 521, 523, 568, 1001, 1012, 1139, 1436, 1443, 1448, 1757, 1758, 2017, 2099, 2108, 2115
Amendments withdrawn—1396
Appointed to the Energy Policy Council—261
Bills introduced—232, 235, 236, 355, 368-369, 385, 414, 462, 596-597, 597, 654, 734, 827, 893
Committee appointments—17-18, 24, 26, 39, 1042, 1670, 2005
Presided at sessions of the House—280, 463
Reports—41-43, 2084-2085, 2207-2213
Resolutions offered—216-217, 468-469, 745-746, 1688-1689, 1774, 1973-1974

Subcommittee appointments—27, 244-245
Subcommittee assignments—144, 217, 218, 336, 527, 528, 529, 531, 617, 704, 707, 812, 813, 814, 815, 1046, 1047, 1048, 1161, 1686, 1687

ROYER, WILLIAM D. (BILL)—Representative Fremont-Mills-Page Counties
Amendments filed—300, 328, 329, 1073, 1252, 1691-1692, 1717, 1768, 1817
Bills introduced—147, 148, 191, 223, 242, 384, 428, 460, 472, 510, 511, 550, 646, 652, 655, 969
Committee appointments—24, 25, 40, 401
Leave of absence—388, 761, 770, 867, 1007, 1534, 1563
Petitions presented—484
Resolutions offered—401, 448-449, 1774, 2013-2014, 2067-2068
Subcommittee appointments—27
Subcommittee assignments—218, 249, 250, 252, 393, 529, 616, 704, 706, 812, 813, 814, 815, 1046, 1047

RULES—
Motions to suspend:
House Concurrent Resolution 14—762
House File 35, H-3331—1081
House File 141—290
House File 196, H-3121—421
House File 312, H-3186—563
House File 406—882
House File 511, H-3439—948
House File 511, H-3442—952
House File 514, H-3528—1104
House File 563, H-3415—921
House File 563, H-3419—927
House File 634, H-3947—1741
House File 634, H-3956—1747
House File 637—1640
Senate Concurrent Resolution 13, H-3706—1452
Senate Concurrent Resolution 13, H-3813—1454
Senate File 96, H-3254—1154
Senate File 184, H-3057—297
Senate File 184, H-3059—301
Senate File 184, H-3062—302
Senate File 184, H-3066—305
Senate File 184, H-3077—307
Senate File 184, H-3071—316
Senate File 184, H-3070—318
Senate File 184, H-3073—328
Senate File 184, H-3076—330
Senate File 221, H-3576—1335
Senate File 302, H-3755C—1444
Senate File 368, H-3677—1229
Senate File 380, H-3761—1699
Senate File 386, H-3281—795

Senate File 386, H-3270—805
Senate File 402, H-3412—1364
Senate File 493, H-3749—1322
Senate File 495, H-3665—1482
Senate File 503, H-3754—1578
Senate File 531, H-3996C—1817
Senate File 531, H-3989—1830
Senate File 544, H-4183—2129
Senate File 551, H-4184—2078
Rule 31.8 (first reading, commitment and amendment):
House File 37, H-3320—844
House File 120, H-3094—362
House File 196, H-3121—421
House File 312, H-3215—586
House File 362, H-3322—835, 836
House File 368, H-3677—1229
Rule 32 (commitment of appropriation and revenue bills):
House File 342—666
House File 406—882
Senate File 464—1178
Rule 35 (debate calendars):
Require daily debate calendar—431
Lost:
House Concurrent Resolution 14—763
House File 35, H-3331—1081
House File 196, H-3121—422
House File 312, H-3186—564
House File 511, H-3439—948
House File 563, H-3415—921
House File 563, H-3419—927
House File 634, H-3947—1742
House File 634, H-3956—1747
Senate Concurrent Resolution 13, H-3706—1453
Senate Concurrent Resolution 13, H-3813—1455
Senate File 184, H-3057—298
Senate File 184, H-3059—301
Senate File 184, H-3062—303
Senate File 184, H-3066—306
Senate File 184, H-3077—308
Senate File 184, H-3071—317
Senate File 184, H-3070—319
Senate File 184, H-3073—328
Senate File 184, H-3076—331
Senate File 221, H-3576—1335
Senate File 302, H-3755C—1445
Senate File 380, H-3761—1700
Senate File 386, H-3281—795
Senate File 386, H-3270—806

Senate File 402, H-3412—1365
Senate File 495, H-3665—1482
Senate File 503, H-3754—1579
Senate File 551, H-4184—2079
Rule 31.8 (first reading, commitment and amendment):
House File 37, H-3320—844
House File 120, H-3094—363
House File 362, H-3322—836
Senate File 368, H-3677—1229
Rule 35 (debate calendars):
Require daily debate calendar—431
Out of order:
Senate File 184, H-3057—297
Prevailed:
House File 141—290
House File 511, H-3442—952
House File 514, H-3528—1104
House File 637—1640
Senate File 96, H-3254—1154
Senate File 493, H-3749—1322
Senate File 531, H-3996C—1818
Senate File 531, H-3989—1830
Senate File 544, H-4183—2129
Rule 31.8 (first reading, commitment and amendment):
House File 312, H-3215—586
Rule 32 (commitment of appropriation and revenue bills):
House File 342—666
House File 406—882
Senate File 464—1178
Withdrawn:
Rule 31.8 (first reading, commitment and amendment):
House File 362, H-3322—836
Rules invoked:
Rule 32 (commitment of appropriation and revenue bills):
House File 81—603
House File 271—957
House File 342—665
House File 406—882
House File 422—759
House File 442—1006
Senate File 464—1178
Rule 36 (noncontroversial calendar):
Senate File 288—604
Rule 76 (duty of voting):
House File 46, H-3099—443
House File 76—1546
House File 81—601
House File 312, H-3200A—570
House File 312—587

House File 312, H-3872—1621
House File 514—1628
House File 532, H-3497—1021
House File 562, H-3481—1027
House File 562, H-3480—1028
House File 562, H-4085—1906
House File 563, H-3383—912
House File 563, H-3415—921
House File 563, H-3406—923
House File 563, H-3352—927
House File 563—929
House File 624, H-3847A—1778
House File 625, H-3987—1853
House File 627—1549
House File 634, H-3943—1738
House File 634—2233
House File 637, H-3881—1652
House File 637, H-4250—2194
House File 637—2196
House File 638, H-3966—1703
House File 646—1929
House File 653, H-4136—1986
House Joint Resolution 2—831
Senate Concurrent Resolution 13, H-3425—1429
Senate File 92, H-4221—2098
Senate File 92, H-3266—2109
Senate File 92—2116
Senate File 184—332
Senate File 223, H-3725—1279
Senate File 223—1378
Senate File 302, H-3755C—1445
Senate File 302, H-3723—1446
Senate File 386, H-3281—795
Senate File 386, H-3268—797
Senate File 386, H-3288—802
Senate File 402, H-3412—1365
Senate File 464, H-3593—1179
Senate File 474, H-3612—1198
Senate File 495, H-3650—1221, 1381, 1382
Senate File 495, H-3665—1482
Senate File 495, H-3823—1509
Senate File 503, H-3754—1579
Senate File 524, H-4176—2170
Senate File 531, H-4013 to H-3996D—1821
Senate File 531, H-4046—1824
Senate File 531, H-3995—1828
Senate File 531—2231
Senate File 543—2136
Senate File 551, H-4184—2078

Out of order:
Rule 32 (commitment of appropriation and revenue bills):
House File 271—958
House File 422 (Mason's Manual of Legislative Procedure, Section 242.5)—759
Rules on the following:
Rule 33 (finance committee):
Bills referred to committees—614
House File 562, referred to finance—941
Rule 36 (noncontroversial calendar):
House File 80—614
House File 362—700-701
House File 444—854
House File 509—839
Senate File 213—854
Rules suspended:
Appropriations meeting—2022
Finance meeting—2042
House Concurrent Resolution 2—61
House File 521—770
House File 534, daily debate calendar—845
House File 641—1802
House File 643—1921
House File 644—1857
House File 645—1857
House File 652—2146
House File 653—1985
House File 658—2163
Judiciary and Law Enforcement meeting—2067
Rules and Administration meeting—18
Senate File 56—2163
Senate File 73—2240
Senate File 92—2089
Senate File 178—2160
Senate File 524—2163
Senate File 530—1802
Senate File 531—1802
Senate File 532—1857
Senate File 533—2021
Senate File 537—2084
Senate File 540—1999
Senate File 541—1975
Senate File 543—2038
Senate File 544—2117
Senate File 545—2069
Senate File 546—1975
Senate File 547—2051
Senate File 548—1989
Senate File 549—2051
Senate File 550—2051
Senate File 551—2036, 2051

Senate File 552—2069
Senate File 553—2127
Ways and Means meeting—1808, 2037
Rule 9 (referral of rule violations):
House Resolution 3—184
Rule 20 (admission to the House; lobbying):
House File 628, Gary Meyer, comptroller office—1523
Rule 30 (introduction and reading of bills):
House Concurrent Resolution 8—77-78
House Resolution 3—184
Rule 31.8 (first reading, commitment and amendment):
House File 108, H-3169—538
House File 141, amendments—283
House File 532, H-3497—1017
Senate File 207, H-3288—661
Senate File 495, amendments—1203
Rule 32 (commitment of appropriation and revenue bills):
House File 342—666
Rule 35 (debate calendars):
Daily debate calendar—431, 1519
Debate calendars—1342
Weekly debate calendar—243, 289, 1383
Weekly debate calendar, House File 606—1121
Weekly debate calendar, House File 612—1139
Rule 36.8 (filing of amendments):
House Concurrent Resolution 2—61
House Concurrent Resolution 3—78
House Resolution 3—184
Rule 40 (consideration of bills):
House File 614—1519
House File 628—1519
Senate File 85—1354
Rule 58 (committee notice and agenda):
Agriculture committee meeting—1123
Committee meetings—1866
Finance committee meeting—282-283
Natural Resource Appropriations subcommittee meeting—970
State Government committee meeting—1108
Ways and Means committee meeting—281
Rule 61 (withdrawals of bills from committee):
Committee meetings—57
Rule 74 (reconsideration):
House File 653—1988

RULES AND ADMINISTRATION, COMMITTEE ON—
Appointed—25
House Concurrent Resolution 3 (printed)—2453-2462
Recommendations—76, 186
Reports—98-103, 151, 280, 389, 1714-1715
Resolution relating to, HR 3—164-184
Resolutions offered—61-76, 164-184
Temporary rules adopted—20

RULES OF APPELLATE PROCEDURE—
(See Supreme Court of Iowa)

RULES OF CIVIL PROCEDURE—
(See Supreme Court of Iowa)

RULES OF CRIMINAL PROCEDURE—
(See Supreme Court of Iowa)

RUNNING, RICHARD V.—Representative **Linn** County
Amendments filed—411, 934, 1112, 1209, 1253, 1347, 1543-1544, 1652, 1653, 1655, 1768, 1782, 2047, 2156
Amendments offered—1450, 1655, 1698
Amendments withdrawn—1653, 1655
Bills introduced—148, 222, 235, 258, 288, 356, 369, 383, 459, 462, 474, 513, 551, 552, 654, 655, 686, 687, 853
Committee appointments—24, 25
Leave of absence—622
Petitions presented—1533, 1634
Presided at sessions of the House—478, 1225
Resolutions offered—216-217, 745-746, 2013-2014, 2014, 2014-2015, 2131
Subcommittee appointments—26
Subcommittee assignments—143, 249, 252, 335, 391, 392, 393, 453, 617, 703, 706, 707, 709, 812, 813, 814

SCHNEKLOTH, HUGO—Representative **Scott** County
Amendments filed—286, 296-297, 298-299, 313-314, 367, 397, 426, 546, 769, 823, 824, 900, 980, 1051, 1253, 1281, 1347, 1420, 1462, 1621, 1663, 1664, 1689, 1690, 1691, 1717, 1768, 1994-2000, 2010-2011, 2038
Amendments offered—313, 441, 798, 841, 842, 1027, 1081, 1621, 1677, 1723, 1729, 1750, 1829, 1994, 2000
Amendments withdrawn—842, 1415
Appointed to the Legislative Fiscal Committee—226
Bills introduced—59, 191, 242, 259, 287, 288, 384, 385, 413, 511, 513, 825-826
Committee appointments—25, 26, 78, 1042, 2005, 2138
Leave of absence—458, 717, 1534
Petitions presented—1665
Presented to the House the Honorable John Pelton, former member of the House—1715
Reports—2207-2213, 2234-2236
Resolutions offered—468-469, 1866, 2067-2068
Subcommittee appointments—27
Subcommittee assignments—218, 252, 391, 527, 528, 530, 815, 1046

SCHROEDER, LAVERNE W.—Representative Harrison-**Pottawattamie** Counties
Amendments filed—75, 88-89, 90, 93, 96, 187, 201, 202, 203, 308-309, 314, 319-327, 331, 342, 352, 362-363, 374-377, 418, 419, 434, 441, 509, 534, 546, 556, 557, 565, 569, 583-584, 716, 741, 769, 803, 823, 824, 850, 866, 873, 891, 899, 900, 915-919, 919-920, 922, 934, 963, 980, 1092, 1112, 1169, 1170, 1208, 1209, 1210, 1248-1249, 1252, 1253, 1273-1274, 1289, 1355-1356, 1388, 1412-1415, 1420, 1462, 1482-1483, 1490, 1495-1496, 1509, 1510-1511, 1512-1513, 1521, 1561, 1617-1619, 1663, 1679, 1689, 1691, 1709, 1710, 1716, 1717, 1768, 1817, 1857-1858, 1875, 1962-1963, 1996-1998, 2010, 2123, 2139, 2156

Amendments offered—75, 90, 93, 96, 196, 197, 200, 201, 202, 203, 308, 314, 319, 331, 419, 561, 564, 569, 572, 574, 576, 583, 585, 803, 834, 856, 858, 882, 883, 913, 915, 922, 1195, 1196, 1197, 1199, 1201, 1225, 1248, 1318, 1355, 1396, 1412, 1445, 1463, 1464, 1482, 1495, 1509, 1510, 1512, 1521, 1580, 1679, 1857, 1875, 2024, 2139
Amendments withdrawn—331, 569, 585, 882, 885, 915, 1130, 1199, 1396, 1475, 1496, 1510, 1680, 1760, 1876, 1984, 2030
Bills introduced—57, 124, 125, 147, 357, 513, 548-549
Committee appointments—24, 25, 26, 47, 2249
Petitions presented—644, 1390, 1718, 2012
Resolutions offered—408, 729
Subcommittee appointments—27, 244-245
Subcommittee assignments—143, 217, 218, 251, 252, 527, 528, 530, 531, 617, 618, 703, 705, 708, 812, 815, 898, 1045, 1046, 1048, 1160, 1162

SEATS—
Assignment of seats in press gallery—232-233
Assignment of, to members—22-23
Special order—17, 22-23

SECRETARY OF STATE, Mary Jane Odell
Certificates of election—2-4, 132, 133
Communications from—40, 423, 589, 729, 846-847, 1044-1045, 1090, 1158-1159, 1343-1344, 1660, 1685, 1845, 2007, 2121-2122, 2154, 2515-2519

SEVENTIETH GENERAL ASSEMBLY—
(See House Concurrent Resolutions, House Resolutions, and Senate Concurrent Resolutions listed in Legislative Index Volume)

SHERZAN, GARY—Representative **Polk** County
Amendments filed—457, 823, 1183, 1208, 1253, 1420, 1489, 1561, 1652, 1691-1692, 1768, 1782, 2010, 2047, 2147-2148
Amendments offered—1176, 1303, 1451, 1652, 1782, 1870
Amendments withdrawn—1523
Bills introduced—147, 148, 236, 288, 354, 355, 513, 547, 654
Committee appointments—24, 25
Leave of absence—1579
Presided at sessions of the House—1457, 2056
Resolutions offered—216-217, 448-449, 526, 729, 745-746, 2013-2014, 2014
Subcommittee appointments—26
Subcommittee assignments—249, 250, 251, 252, 392, 393, 451, 531, 704, 812, 813, 898, 899

SHOULTZ, DON—Representative **Black Hawk** County
Amendments filed—980, 1253, 1561, 1768, 1839, 1847, 2010
Amendments offered—1931, 2025
Bills introduced—123, 147, 354, 369, 513, 547, 548, 549, 654
Committee appointments—24, 25
Petitions presented—733
Presided at sessions of the House—1877
Resolutions offered—216-217, 448-449, 468-469, 553, 729, 745-746, 1973-1974
Subcommittee appointments—26
Subcommittee assignments—251, 392, 451, 452, 529, 616, 705, 898

SKOW, BOB—Representative Adair-Dallas-**Guthrie**-Madison Counties
Amendments filed—407, 509, 557, 716, 823, 1092, 1290, 1347, 1420, 1664, 1691-1692, 1717, 1794, 1817, 1838, 2010-2011, 2039-2041
Amendments offered—718, 1817, 1838, 1841
Amendments withdrawn—437, 1330
Bills introduced—58, 124, 147, 155, 223, 231, 232, 353, 354, 355, 428, 459, 460, 472, 492, 552, 645, 646, 654, 686, 827, 827-828
Committee appointments—2, 23, 25, 656, 743
Leave of absence—886, 1467, 2234
Presented to the House the Honorable Kenneth Robinson, former member of the House—1385
Presided at sessions of the House—1574, 2167
Reports—2-4
Resolutions offered—216-217, 448-449, 656, 729, 745-746, 2067, 2131
Rulings made—1578
Subcommittee appointments—27
Subcommittee assignments—249, 335, 336, 527, 705, 709, 813, 815, 898, 1161

SMALL BUSINESS AND COMMERCE, COMMITTEE ON—
Amendments filed—651, 769, 873, 1127, 1168
Amendments offered—725, 1174, 1258, 1294, 1299
Amendments withdrawn—1332, 2160
Appointed—25
Bills introduced—189, 333, 343, 492, 495, 684, 758, 759
Recommendations—186-187, 341, 456-457, 483, 650, 739-740, 767, 873, 979, 1125, 1166
Subcommittee assignments—249, 451, 527, 617, 702, 703, 704, 705, 707, 708, 709, 812, 815, 898, 899, 1048, 1160, 1161, 1162

SPEAKER OF THE HOUSE—Donald D. Avenson, Representative Chickasaw-**Fayette** Counties
Addressed the House—9-12
Announcements, Senate bills passed on file—388, 746
Appointed to the Legislative Council—226
Appointments announced:
Appropriations Subcommittees—26-27
Capitol Planning Commission—269, 1712-1713
Communications Review Committee—889
Confidential Records Council—865
Energy Policy Council—261
Iowa Advisory Commission on Intergovernmental Relations—506, 526
Iowa Boundary Commission—896
Legislative Council—226
Legislative Fiscal Committee—226
Standing Committees—23-26
Bills referred to committees—603, 895, 1096
Bills rereferred to committees—261, 281, 614, 668, 729, 811, 854, 880, 931, 941, 960, 1096, 1662
Bills signed by—408-409, 506, 588, 889, 1044, 1206, 1559, 1571, 1685, 1764, 1914, 2006, 2153
Closing message from Governor Terry E. Branstad—2249-2254

Committees appointed by—17, 19, 46, 78, 130, 156, 208, 386-387, 401, 402, 429, 743, 1515, 2249
Communications received—150-151
Concurrent Resolution referred to committee—431
Conference committee appointed—1042, 1670, 1763, 1789, 2005, 2023, 2028, 2037, 2118, 2138, 2187, 2206
Elected Speaker of the House—6-9
Final adjournment—2254
Final adjournment, 1983 Regular Session of the Seventieth General Assembly, House Concurrent Resolution 47—2244 adopted
Leave of absence—684
Memorial committees appointed by—387, 401, 402, 429, 600, 656, 743
Presentation of visitors—469, 507, 589, 669, 730, 747, 763, 811, 865, 872, 932, 962, 978, 1090, 1123, 1159, 1206, 1251, 1287-1288, 1345, 1385-1386, 1487-1488, 1530, 1559-1560, 1572, 1685-1686, 1715, 1765, 1789-1790, 1846, 1915, 1967, 2043, 2122, 2155, 2246
Presided at sessions of the House—18, 20, 23, 45, 56, 57, 72, 75, 77, 89, 93, 106, 126, 130, 142, 146, 150, 154, 156, 164, 189, 191, 192, 198, 201, 203, 208, 216, 220, 226, 231, 235, 241, 243, 244, 258, 261, 266, 278, 280, 281, 287, 289, 290, 296, 297, 311, 329, 343, 348, 353, 360, 368, 372, 373, 387, 399, 405, 412, 415, 416, 418, 427, 431, 435, 436, 437, 439, 442, 444, 458, 465, 468, 472, 475, 480, 484, 491, 495, 496, 504, 510, 517, 518, 535, 541, 543, 547, 553, 559, 560, 569, 578, 586, 595, 599, 602, 622, 629, 644, 648, 652, 659, 666, 674, 679, 717, 727, 733, 735, 742, 754, 758, 760, 763, 770, 772, 791, 800, 805, 825, 836, 839, 844, 851, 854, 856, 858, 867, 869, 875, 879, 886, 892, 895, 901, 903, 906, 927, 928, 935, 942, 948, 956, 968, 971, 976, 978, 982, 994, 1003, 1017, 1022, 1029, 1040, 1052, 1063, 1066, 1073, 1083, 1093, 1096, 1102, 1105, 1113, 1114, 1128, 1140, 1150, 1171, 1181, 1183, 1193, 1202, 1211, 1212, 1213, 1229, 1248, 1254, 1257, 1258, 1279, 1291, 1296, 1308, 1322, 1334, 1339, 1349, 1365, 1377, 1379, 1381, 1389, 1399, 1408, 1422, 1424, 1438, 1448, 1460, 1482, 1491, 1494, 1510, 1514, 1518, 1521, 1527, 1533, 1542, 1543, 1545, 1563, 1568, 1573, 1578, 1583, 1589, 1621, 1634, 1636, 1640, 1648, 1652, 1654, 1657, 1665, 1672, 1679, 1693, 1700, 1702, 1709, 1718, 1721, 1726, 1751, 1761, 1762, 1770, 1778, 1783, 1795, 1804, 1808, 1820, 1830, 1832, 1839, 1848, 1856, 1859, 1862, 1866, 1867, 1875, 1882, 1906, 1908, 1910, 1919, 1924, 1926, 1941, 1947, 1960, 1971, 1974, 1985, 1989, 1999, 2008, 2012, 2015, 2021, 2022, 2023, 2026, 2030, 2032, 2036, 2037, 2038, 2049, 2060, 2066, 2068, 2077, 2081, 2084, 2100, 2111, 2124, 2126, 2130, 2136, 2138, 2144, 2146, 2152, 2157, 2163, 2172, 2188, 2195, 2200, 2204, 2226, 2231, 2248
Remarks by—9-12
Resolution offered—839
Resolutions relating to:
House Concurrent Resolution 1—13 adopted
House Concurrent Resolution 5—97, 106 adopted
House Concurrent Resolution 12—468, 486 adopted
House Concurrent Resolution 15—544, 648 adopted
House Resolution 2—17 adopted
Rulings made—127, 297, 299, 301, 302, 303, 304, 305, 307, 309, 316, 330, 331, 377, 388, 421, 563, 564, 603, 605, 759, 791, 805, 882, 904, 927, 948, 958, 1006, 1074, 1103, 1104, 1134, 1154, 1178, 1443, 1444, 1452, 1454, 1729, 1731, 1823, 1859, 2041, 2078, 2109, 2129, 2139
Special presentation to House Pages—745, 2021

SPEAKER PRO TEMPORE, John Connors—Representative **Polk** County
(See Connors, John—Representative **Polk** County, Speaker Pro Tempore)

SPEAR, CLAY—Representative Des Moines-**Lee** Counties
Amendments filed—72, 202, 286, 342, 352, 367, 397, 398, 490, 509, 534, 546, 566, 594, 642, 651, 666, 672, 683, 693, 697, 716, 769, 823, 843, 850, 866, 873, 891, 900, 934, 963, 980, 981, 1051, 1091, 1111, 1127, 1169, 1184, 1252, 1253, 1289, 1290, 1321, 1347, 1388, 1420, 1421, 1561, 1663, 1691, 1691-1692, 1716, 1717, 1768, 1847, 1868, 1942, 1942-1943, 1943, 1945, 1946, 1947, 1948, 1949, 1982-1984, 2047, 2048, 2054, 2148
Amendments offered—72, 202, 416, 439, 440, 465, 501, 516, 540, 541, 565, 566, 627, 666, 692, 697, 721, 721-722, 828, 855, 958, 972, 989, 1005, 1015, 1055, 1067, 1070, 1077, 1130, 1200, 1321, 1444, 1458, 1459, 1460, 1466, 1467, 1582, 1702, 1719, 1799, 1868, 1869, 1942, 1943, 1945, 1946, 1947, 1948, 1949, 1982, 2053, 2054, 2055
Amendments withdrawn—345, 421, 440, 516, 694, 724, 725, 843, 1257, 1870, 2054
Bills introduced—59, 60, 125, 154, 155, 235, 242, 259, 266, 267, 268, 357, 368, 384, 414, 427, 475, 484, 492, 511, 513, 548, 551
Committee appointments—13, 24
Escorted to the Speaker's station and presented to the House the 1983 Iowa's Junior Miss, Shelly Elmore—903
Presided at sessions of the House—346
Reports—16
Resolutions offered—216-217, 448-449, 553, 729, 745-746, 1973-1974
Subcommittee appointments—26
Subcommittee assignments—144, 250, 251, 393, 451, 452, 530, 703, 899, 1048

SPECIAL COMMITTEES—
(See Committees, Special)

SPECIAL ORDER—
Assignments of seats—17, 22-23

SPECIAL PRESENTATION—
Abraham Lincoln's birthday, presentation by John Fons, Winterset, Iowa—387
Big Band Dance Committee—2146
Easter Seal Child for 1983, Doug Hutcheson—491
Hardin County Pork Queen, for 1983, Cori Heetland—736
House Pages—745, 2021
Iowa's Junior Miss for 1983, Shelly Elmore—903
Miss Iowa, Linda Simon—1095-1096
National President of the Girls Scouts of the United States of America, Mrs. Orval (Jane) Freeman—658
Presentation to Ronald McDonald House—1635
Queen of the 1983 Tulip Festival, Brenda Boomsma—1775
The Honorable Dr. Sean McCarthy, T.D., House of Parliament, Cashel, County Tipperary Ireland—734
The Honorable Emil S. Pavich, "Legislator of the Year"—663
Two quintets representing Southeast Iowa Symphony Orchestra—18

SPONSORS (bills and amendments)—
Added:
House File 5-Representative Mullins—97

House File 5-Representative Hermann—98
House File 10-Representative Jay—98
House File 13-Representatives Mullins, Connors, Krewson, Hoffmann-Bright, Lloyd-Jones, Carpenter, Carl, Swearingen, Torrence, McKean, Arnould, Haverland & Peick—98
House File 16-Representative Hermann—98
House File 233-Representatives Skow, Clark of Cerro Gordo, Paulin, Swearingen, Hammond, Menke, Van Maanen, Sullivan, Black, Rosenberg, Krewson, McKean, Blanshan, Stueland, Muhlbauer, Van Gerpen, De Groot, Koenigs, Handorf, Grandia, Torrence, Hoffmann-Bright, Diemer, Schnekloth, Welden, Tofte, Cooper, Haverland, Groninga, McIntee, Lageschulte, Rensink & Corey—449
House File 233-Representatives Connolly, Peick, Renken, Knapp & Hermann—482
House File 233-Representative Chapman—506
House File 233-Representative Jay—746
House File 303-Representative Hermann—544
House File 422, H-3549-Representative Holveck—1123
House File 613, H-3805-Representatives Baxter & Clark of Cerro Gordo—1487
House Joint Resolution 3-Representative Van Maanen—269
Senate File 495, H-3650 Representative Van Maanen—1212
Senate File 495, H-3674 Representative Handorf—1212
Withdrawn:
House Concurrent Resolution 14-Representative Knapp—544
House Concurrent Resolution 14-Representative-Hughes—763
House File 314, H-3162-Representative Maulsby—614
House Joint Resolution 10-Representative Daggett—865
Senate File 370, H-3962-Representative Hughes—1712
Senate File 370, H-3980-Representative Hughes—1763
Senate File 531, H-4004-Representative Mullins—1796

STANDING COMMITTEES—
Appointed—23-26
Chairmen appointed—23-26
List of appointments to—27-39

STATE APPEAL BOARD—
Claims approved—107-119, 847
Claims disapproved—119-123, 449-450, 870-871, 1418-1419
Communications from, stating claims filed with—119-123, 449-450, 847, 870-871, 1418-1419

STATE GOVERNMENT, COMMITTEE ON—
Amendments filed—490, 672, 753, 822, 1050, 1126, 1168
Amendments offered—626, 1079, 1185, 1190, 1222, 1334, 2102
Appointed—26
Bills introduced—278, 472, 495, 735, 758, 792, 851, 868, 876, 892-893
Recommendations—256-257, 434, 490, 556, 672, 715, 752-753, 822, 979, 1050, 1110, 1125-1126, 1166-1167, 2123

Subcommittee assignments—143, 144, 249, 334, 391, 393, 527, 528, 529, 530, 531, 615, 616, 702, 703, 704, 706, 707, 708, 709, 813, 814, 897, 898, 899, 1046, 1047, 1048, 1160, 1161

STATE OF THE STATE MESSAGE—
Delivered by Governor Robert D. Ray—47-53
Resolution relating to, HCR 1—13 adopted

STROMER, DELWYN—Representative Franklin-**Hancock**-Wright Counties, Minority Floor Leader
Amendments filed—88-89, 187, 195-196, 382, 480, 490, 769, 824, 934, 1253, 1650-1651, 1653-1654, 1657, 1689-1690, 1691, 1822-1823, 2087, 2192
Amendments offered—195, 200, 496, 975, 1650, 1657, 1743, 1822, 2087, 2192
Appointed to the Legislative Council—226
Bills introduced—369, 485, 513-514, 596, 736, 825-826, 1286-1287, 1590, 1844, 1924
Committee appointments—25
Leave of absence—684
Motion to adjourn—1673-1674
Petitions presented—1350, 1422, 1634, 2012
Remarks by—8
Resolutions offered—544, 734, 839

STUDY BILL COMMITTEE ASSIGNMENTS—
Agriculture—366, 432, 451, 482, 508, 615, 649, 670, 737, 737-738, 738, 747
Education—153, 185, 186, 239, 247, 424, 482, 507, 590, 591, 640, 649, 681, 682, 702, 731
Energy—227, 233, 264, 351, 425, 554, 649, 702, 736-737
Revised—764
Finance—229, 264, 701, 730, 889, 1159, 1530, 1572, 1790
Revised—350, 872, 1345
Human Resources—206, 233, 247, 283-284, 284, 365, 390, 409, 432, 451, 554, 590, 641, 670, 681, 682, 702, 731, 737
Judiciary and Law Enforcement—238, 239, 248, 263, 275, 284, 365, 378, 390, 432, 507, 527, 554, 591, 592, 615, 649, 670, 681, 730, 747, 748, 811
Reassigned—262
Labor and Industrial Relations—239, 379
Local Government—103, 129, 186, 229, 230, 248, 264, 274, 275, 334, 365, 409, 410, 424, 425, 469, 482, 591, 615, 670, 811
Natural Resources—263, 377, 378, 451, 507, 554, 589, 590, 670, 731
Small Business and Commerce—103, 103-104, 153, 228, 263, 424, 451, 488, 591, 670
State Government—228, 238, 247, 248, 275, 285, 365, 378, 379, 390, 425, 450, 451, 469, 488, 507, 592, 615, 641, 682, 687
Revised—649
Transportation—186, 228, 248, 334, 351, 365, 410, 488, 590-591, 591, 640, 641, 681, 730, 737
Ways and Means—104, 105, 227, 228, 233, 248, 274, 284, 379, 425, 450, 488, 615, 641, 642, 747, 961, 1109, 1252, 1560, 1660-1661, 1790, 1846-1847
Reassigned—1109
Revised—284

STUDY BILL SUBCOMMITTEE ASSIGNMENTS—
Assignments—144-145, 218-219, 252-256, 336-340, 394-396, 454-455, 531-533, 618-620, 709-714, 816-818, 899, 1048, 1162, 1346, 1531, 1687, 1916, 2247

Reassigned—394, 618
Revised—394, 899

STUDY COMMITTEES—
(Also see Legislative Council)
House Concurrent Resolution 8, tax structure—279
House Concurrent Resolution 21, substance abuse, dept. of—930-931, 1857 adopted
House Concurrent Resolution 22, House File 611—1204
House Concurrent Resolution 23, save tax funds, div. of criminal investigation with highway safety patrol—1204-1205
House Concurrent Resolution 25, public retirement system—1343
House Concurrent Resolution 26, review noxious weed law—1418
House Concurrent Resolution 27, investment of public funds—1567
House Concurrent Resolution 28, protection from child abuse study—1688-1689
House Concurrent Resolution 29, study HF 519, hospital cost discrimination—1912-1913
House Concurrent Resolution 30, educational quality, study—1973-1974
House Concurrent Resolution 31, adoption and termination statutes, study—2013-2014
House Concurrent Resolution 33, health care, needs & changes—2014-2015
House Concurrent Resolution 34, minimum price, ag. commodities, sold in state—2067
House Concurrent Resolution 35, land use & preservation (93A)—2131
House Concurrent Resolution 37, medically needy program, collect data—2133-2135
House Resolution 8, election laws—1558
House Resolution 11, crop damage, waterfowl—1774
House Resolution 12, construction of new state office building—1866
House Resolution 13, collective bargaining—2067-2068

STUELAND, VICTOR (VIC)—Representative Cedar-**Clinton** Counties
Amendments filed—195-196, 313-314, 328, 546, 823, 850, 1388, 1572, 1653-1654, 1689-1690, 1690, 1691-1692, 1710, 1717, 1768
Amendments offered—1710, 1781
Bills introduced—156, 191, 235, 259, 287, 385, 427, 825-826
Committee appointments—23, 24, 25, 46
Escorted to the Speaker's station and presented Miss Iowa, Linda Simon—1095-1096
Petitions presented—1350, 1390, 1564, 1693
Presided at sessions of the House—1191
Resolutions offered—2067-2068, 2131
Subcommittee appointments—26
Subcommittee assignments—144, 250, 335, 707, 709, 897, 899, 1161

STURGEON, ALLAN (AL)—Representative **Woodbury** County
Amendments filed—546, 557, 558, 586, 716, 1420, 1421, 1561-1562, 1617-1619, 1650, 1768, 1985, 2010
Amendments offered—566, 1496, 1650, 1985
Amendments withdrawn—1495

Bills introduced—191, 222, 235, 236, 288, 547, 552, 596, 598, 644, 893
Committee appointments—24, 25
Leave of absence—1171, 1213, 1693
Presentation of visitors—639
Presided at sessions of the House—633, 1149
Resolutions offered—216-217, 448-449, 729, 745-746
Subcommittee appointments—27
Subcommittee assignments—451, 617, 704, 705, 707, 709, 812, 899, 1048, 1161

SUBCOMMITTE APPOINTMENTS—
Appropriations-appointed—26-27
Judiciary and Law Enforcement-appointed—244-245

SUBCOMMITTEE ASSIGNMENTS—
Assignments—143, 217-218, 248-252, 334-336, 391-393, 451-454, 527-531, 615-618, 702-709, 812-815, 896-899, 1045-1048, 1160-1162, 1345-1346, 1531, 1686-1687, 1915-1916, 2246-2247
Reassigned—528, 615, 812, 1160

SULLIVAN, WILLIAM R.—Representative Lee-**Van Buren** Counties
Amendments filed—769, 980, 1050, 1421, 1655, 1691-1692, 1717, 1768
Bills introduced—57, 60, 222, 231, 235, 242, 385, 414, 473, 492-493, 511, 827, 893
Committee appointments—24, 25, 387, 1763, 2037
Leave of absence—419, 1795, 1848
Petitions presented—754, 1093, 1389, 1390, 1848
Reports—2060-2062, 2150
Resolutions offered—216-217, 448-449, 745-746, 1204, 2131
Subcommittee appointments—27
Subcommittee assignments—454, 529, 706

SUPERINTENDENT OF PRINTING—
(See Printing Division of General Services)

SUPREME COURT OF IOWA—
(Chief Justice of the Supreme Court, The Honorable W. W. Reynoldson)
Administered oath to Governor-elect—135
Administered oath to Lieutenant Governor-elect—135
Communications from—149, 262
Communications-Reports:
Rules of Civil Procedure—149
Rules of Criminal Procedure—149
Rules of Juvenile Procedure—149
Rules of Appellate Procedure—149
Delivered Condition of Judicial Department Message—157-164
Ethics committee appointed by—39
Resolution relating to the condition of the Judicial department, HCR 4—97, 106 adopted
Resolution relating to the judicial impact statements on bills introduced by g.a., SCR 12—487, 708

SWARTZ, THOMAS E. (TOM)—Representative **Marshall** County
Amendments filed—509, 666-667, 866, 891, 900, 963, 1092, 1210, 1252, 1253, 1388, 1691, 1691-1692, 1717, 1768, 1794, 1805, 1809, 2010-2011, 2156
Amendments offered—664, 665, 666, 1068, 1275, 1299, 1484, 1854, 1855
Amendments withdrawn—1332, 1501, 1805, 1809
Bills introduced—147, 235, 385, 493
Committee appointments—12, 25, 26, 1789
Leave of absence—343
Presided at sessions of the House—1904, 2038
Reports—16, 1878-1881
Resolutions offered—216-217, 729, 745-746, 1343, 1558, 1567
Subcommittee appointments—27
Subcommittee assignments—250, 391, 451, 527, 528, 530, 531, 617, 702, 703, 704, 706, 707, 708, 709, 812, 813, 814, 899, 1045, 1046, 1047, 1048, 1160, 1161

SWEARINGEN, GEORGE R.—Representative Jefferson-**Keokuk**-Wapello Counties
Amendments filed—187, 193, 203, 328, 418, 546, 934, 1209, 1253, 1649, 1653-1654, 1689-1690, 1690, 1691-1692, 1717, 1768
Amendments offered—1275, 1276
Amendments withdrawn—1275, 1283
Bills introduced—147, 148, 191, 242, 472, 492, 510, 513-514, 596, 736
Committee appointments—24, 25, 26, 2118
Leave of absence—220, 660, 861
Petitions presented—484, 733, 1422, 1564
Reports—2206
Resolutions offered—1973-1974
Subcommittee appointments—26
Subcommittee assignments—218, 250, 391, 527, 530, 616, 617, 702, 703, 704, 706, 707, 708, 814, 897, 898, 1047, 1160, 1161

TABOR, DAVID M.—Representative Dubuque-**Jackson** Counties
Amendments filed—769, 801, 1111, 1252, 1420, 1691-1692, 1717, 2038
Amendments offered—1300, 1402, 1404
Bills introduced—354, 355, 356, 368-369, 547, 596, 598, 645, 654
Committee appointments—24, 25, 26, 1042, 1670, 2005
Petitions presented—383, 1634
Presented to the House the Honorable Richard J. Norpel, Sr., former member of the House—223
Presided at sessions of the House—1028, 1650
Reports—2084-2085, 2207-2213
Resolutions offered—216-217, 468-469, 553, 729, 745-746, 2013-2014, 2244-2245
Subcommittee appointments—26, 244-245
Subcommittee assignments—143, 144, 217, 250, 251, 336, 392, 452, 453, 528, 529, 618, 703, 704, 707, 708, 709, 812, 814, 815, 899, 1046, 1048, 1161, 1162, 1346, 1686, 1687

TELLERS—
Appointment of—55
Reports—55-56, 131-132

TEMPORARY OFFICERS—
Elected—1
Took oath of office—1

TOFTE, SEMOR C.—Representative Allamakee-**Winneshiek** Counties
Amendments filed—328, 1111, 1562, 1689-1690, 1691, 1717, 1768
Appointed to the Capitol Planning Commission—1713
Bills introduced—155, 242, 460, 462, 493, 655
Committee appointments—8-9, 25, 26, 1763, 2005
Leave of absence—373, 577, 794, 901, 971, 1003, 1063, 1408, 1648, 1674, 1762, 1826, 1904, 1919, 1928, 1986, 2039, 2115, 2171
Petitions presented—1534
Reports—2144-2146, 2150
Resolutions offered—216-217, 553, 2131
Subcommittee appointments—27
Subcommittee assignments—143, 144, 335, 391, 393, 451, 528, 530, 531, 702, 703, 705, 708, 1046, 1160

TORRENCE, JANIS I.—Representative **Muscatine**-Scott Counties
Amendments filed—457, 594, 823, 824, 1561, 1653-1654, 1663, 1689, 1691, 1717, 1768, 1779, 1794, 1817
Amendments offered—1724, 1779
Amendments withdrawn—1779
Bills introduced—428, 472
Committee appointments—24, 25, 1515
Leave of absence—561, 595, 2099, 2124, 2157
Resolutions offered—526, 1688-1689, 2013-2014, 2131
Subcommittee appointments—27
Subcommittee assignments—249, 250, 252, 392, 451, 528, 529, 530, 704, 706, 708, 709, 812, 813, 815, 1046, 1047

TRANSPORTATION, COMMITTEE ON—
Amendments filed—342, 594, 621, 741
Amendments offered—465, 660, 667, 1233
Appointed—26
Bills introduced—278, 344, 652, 659, 674, 735, 743, 793, 876-877, 877, 892, 902, 935-936, 936
Recommendations—277, 341, 483, 508, 594, 620, 650, 683, 740-741, 767-768, 1126, 1167-1168, 1661
Subcommittee assignments—217, 218, 250, 335, 392, 452, 528, 529, 530, 531, 616, 617, 618, 706, 707, 709, 812, 898, 1046, 1048, 1161, 1162, 1686

UNANIMOUS CONSENT—
House Concurrent Resolution 2, H-3003, voting—73
House Concurrent Resolution 8, suspend rules, immediate consideration—77-78
House File 563, journal correction, voting—935
Printing of clip sheet—128
Rules and Administration meeting, suspend rules—18
Senate File 386, amend title—808
Senate File 533, H-4154, correct lines—2036
Ways & Means meeting, suspend rules—1808

Objections to:
Suspend Rule 31.8, bills on daily debate calendar—809
Suspend rule, Ways and Means meeting—2037
Suspension of Rule 75.a—1308

UNANIMOUS CONSENT TO VOTE—
House File 166—837
House File 317—1376
House File 562—2205
House File 634—1788
Senate File 184—332-333
Senate File 474, H-3616—1193

VAN CAMP, MICHAEL J.—Representative **Scott** County
Amendments filed—296-297, 298-299, 557, 823, 824, 900, 963, 980, 1050, 1051, 1347, 1561, 1652, 1653-1654, 1689, 1690, 1691, 1717, 1768, 1799, 1804-1805, 1806, 1807, 1836, 2010-2011, 2047
Amendments offered—1061, 1076, 1799, 1807, 1836, 2077
Amendments withdrawn—1063
Bills introduced—191, 242, 428, 472, 492-493, 511, 645, 647, 654, 825-826
Committee appointments—24, 26
Petitions presented—1390, 1564, 2246
Resolutions offered—216-217, 448-449, 526, 1212-1213, 2013-2014, 2014
Subcommittee appointments—27
Subcommittee assignments—217, 250, 335, 392, 451, 452, 530, 531, 707, 812, 1161

VAN GERPEN, HARLAN W.—Representative **Black Hawk** County
Amendments filed—296-297, 298-299, 300, 302, 303, 304, 312-313, 317-318, 329, 587, 824, 900, 934, 980, 1092, 1653-1654, 1664, 1689, 1690, 1691, 1691-1692, 1717, 1768, 1839
Amendments offered—329, 587, 1756
Bills introduced—147, 148, 191, 242, 428, 460, 461, 472, 473, 510, 511, 549, 551, 969
Committee appointments—24
Resolutions offered—1688-1689, 1973-1974, 2013-2014
Subcommittee appointments—27
Subcommittee assignments—249, 250, 252, 452, 616, 812, 813, 815, 898, 1046, 1047

VAN MAANEN, HAROLD—Representative Keokuk-**Mahaska**-Wapello Counties
Amendments filed—69, 70, 71, 296-297, 298-299, 300, 304-305, 328, 342, 397, 410, 419, 421, 546, 824, 963, 1112, 1252, 1421, 1653-1654, 1689, 1691-1692, 1706-1707, 1717, 1768, 1794, 1834, 1837, 1994, 2047, 2108
Amendments offered—437, 438, 976, 1837, 1840
Amendments withdrawn—438, 439, 1841, 2108
Bills introduced—147, 155, 191, 235, 288, 355, 460, 461, 492-493, 513-514, 825-826
Change of vote requested—1193
Committee appointments—23, 26
Leave of absence—994
Presented to the House the Honorable Phillip E. Tyrrell, former member of the House—848
Presided at sessions of the House—465
Resolutions offered—2131

Special communication from—1066
Subcommittee appointments—27
Subcommittee assignments—334, 335, 336, 453, 527, 528, 529, 703, 709, 898, 1047, 1048

VARN, RICHARD J.—Representative Iowa-**Johnson** Counties
Amendments filed—621, 716, 850, 900, 934, 1208, 1210, 1253, 1289, 1348, 1388, 1420, 1525-1526, 1527, 1561, 1562, 1768, 1860, 1862, 2010, 2115-2116
Amendments offered—623, 1464, 1466, 1525, 1527, 1565, 1778, 1859, 1860, 2115
Appointed to the Confidential Records Council—865
Bills introduced—148, 236, 242, 266, 267, 368-369, 413, 428, 461, 484, 512, 596, 654, 687, 689, 734, 736, 826
Committee appointments—24, 26
Petitions presented—146, 258, 287
Presided at sessions of the House—624, 1445
Resolutions offered—216-217, 729, 745-746, 1687-1688, 1688-1689, 1973-1974, 2131
Rulings made—1447
Subcommittee appointments—26, 244-245
Subcommittee assignments—144, 217, 218, 251, 336, 391, 392, 393, 453, 528, 529, 531, 616, 617, 703, 704, 705, 707, 813, 814, 815, 898, 1045, 1046, 1047, 1048, 1162, 1346, 1687

VISITORS—
Presentation of—12, 189, 201, 223, 261, 364, 387, 407, 431, 444, 469, 475, 507, 589, 639, 669, 701, 730, 747, 763, 811, 848, 865, 872, 932, 962, 978, 1045, 1123, 1159, 1206, 1251, 1287-1288, 1345, 1385-1386, 1419, 1487-1488, 1529-1530, 1559-1560, 1572, 1631-1632, 1660, 1685-1686, 1765, 1789-1790, 1846, 1915, 1967, 2008, 2043, 2122, 2155, 2246

VOTES (Roll Call)—
Non-record—70, 76, 90, 93, 95, 127, 128, 196, 200, 201, 203, 204, 290, 296, 328, 333, 360, 363, 439, 441, 442, 445, 446, 466, 480, 487, 502, 504, 541, 543, 553, 579, 586, 588, 601, 602, 603, 679, 692, 718, 786, 803, 844, 882, 888, 903, 914, 927, 930, 948, 951, 952, 976, 1021, 1022, 1029, 1054, 1056, 1059, 1063, 1081, 1098, 1103, 1104, 1108, 1140, 1149, 1154, 1178, 1179, 1180, 1187, 1191, 1193, 1197, 1199, 1200, 1201, 1202, 1229, 1249, 1281, 1321, 1322, 1323, 1335, 1356, 1364, 1365, 1368, 1378, 1379, 1400, 1402, 1449, 1463, 1464, 1482, 1484, 1508, 1511, 1535, 1543, 1546, 1565, 1574, 1586, 1588, 1621, 1640, 1657, 1698, 1704, 1724, 1728, 1747, 1771, 1778, 1782, 1783, 1784, 1810, 1823, 1828, 1830, 1838, 1839, 1840, 1856, 1858, 1859, 1871, 1882, 1907, 1908, 1984, 1988, 1992, 1993, 1994, 2017, 2027, 2037, 2054, 2058, 2065, 2066, 2080, 2088, 2097, 2100, 2111, 2129, 2160, 2188, 2200, 2203, 2225, 2231, 2233, 2236
Record-70, 73, 89, 92, 94, 193-194, 195, 197, 203-204, 223-224, 282, 297-298, 299-300, 301, 302, 305-306, 307, 309, 310, 311, 313, 314, 316, 318, 328, 330, 360, 361, 388, 404, 418, 420, 421, 443, 498, 499, 518, 560, 563, 570, 573, 577, 579, 580, 582, 584, 718, 759, 762, 778, 785, 786, 795, 796, 797, 798, 800, 802, 805, 857, 858, 860, 880, 886, 905, 912, 921, 922, 923, 924, 925, 928, 945, 949, 955, 1024, 1026, 1027, 1028, 1030, 1031, 1032, 1034, 1040, 1079, 1100, 1101, 1104, 1188, 1192, 1194, 1195, 1198, 1221, 1225, 1227, 1272, 1277, 1278, 1282, 1381, 1382, 1383, 1404, 1407, 1411, 1437, 1445, 1446, 1450, 1452, 1454, 1509, 1540, 1541, 1544, 1549, 1550,

1579, 1620, 1622, 1623, 1624, 1628, 1648, 1649, 1651, 1652, 1654, 1656, 1673, 1677, 1699, 1703, 1705, 1707, 1708, 1709, 1710, 1725, 1730, 1732, 1734, 1735, 1736, 1738, 1739, 1741, 1744, 1745, 1748, 1749, 1750, 1752, 1753, 1754, 1755, 1779, 1805, 1806, 1807, 1817, 1818, 1821, 1824, 1825, 1828, 1830, 1835, 1836, 1838, 1840, 1853, 1861, 1905, 1906, 1944, 1946, 1949, 1950, 1986, 1991, 1995, 2025, 2029, 2038, 2076, 2078, 2087, 2098, 2101, 2105, 2106, 2109, 2136, 2140, 2170, 2187, 2189, 2190, 2191, 2192, 2194, 2195
Vote correction—935

WAYS AND MEANS, COMMITTEE ON—
Amendments filed—265, 621, 1663, 2047, 2048
Amendments offered—345, 664, 1800, 1859, 2089, 2166
Appointed—26
Bills introduced—258, 281, 399, 400, 435, 485, 514, 792, 870, 1093, 1157, 1292-1293, 1350, 1492, 1590, 1658, 1763, 1796, 1919-1920, 1966, 2022
Recommendations—240, 265, 285-286, 397, 426, 457, 509, 620, 715-716, 768, 1050, 1110-1111, 1288-1289, 1347, 1489, 1633, 1661-1662, 1793, 1917-1918, 2044-2045
Subcommittee assignments—218, 250, 251, 252, 391, 392, 393, 452, 453, 528, 529, 530, 616, 617, 618, 812, 813, 815, 1045, 1046, 1160, 1346, 1686, 1687, 1916

WELDEN, RICHARD W.—Representative Franklin-**Hardin**-Hamilton Counties
Amendments filed—88-89, 203, 304, 313-314, 328, 342, 382, 404, 411, 490, 866, 873, 890, 1021, 1127, 1170, 1208, 1209, 1252, 1253, 1408-1411, 1420, 1649, 1653-1654, 1656, 1690, 1691, 1717, 1768, 1769, 1794, 1824, 1834, 2072, 2139-2140
Amendments offered—304, 404, 603, 880, 955, 1021, 1226, 1272, 1401, 1408, 1417, 1475, 1656, 1824, 1827, 1834, 2072, 2139
Amendments withdrawn—467, 1417
Appointed to the Legislative Council & Legislative Fiscal Committee—226
Bills introduced—60, 241, 413, 485, 513-514, 653, 825-826
Committee appointments—19, 24, 25, 26, 2118
Correct record of voting—935
Presented to the House Cori Heetland, 1983 Hardin County Pork Queen—736
Presented to the House the Honorable Dean Corey, former member of the House—1345
Resolutions offered—553, 2244-2245
Subcommittee appointment—27
Subcommittee assignments—452, 528, 896, 897

WOODS, JACK E.—Representative **Polk** County
Amendments filed—434, 534, 823, 873, 890, 934, 1092, 1170, 1208, 1210, 1253, 1290, 1453-1454, 1511, 1691-1692, 1717, 1768, 1793, 1918, 2010, 2010-2011, 2047, 2097, 2106, 2115-2116
Amendments offered—629, 881, 885, 1449, 1453, 1511, 1823, 2097, 2102, 2106, 2111
Amendments withdrawn—1450
Bills introduced—147, 148, 154, 236, 354, 355, 356, 369, 462, 596, 654
Committee appointments—25, 26, 1763, 2023
Presided at sessions of the House—517, 1910
Reports—2150, 2226-2231
Resolutions offered—216-217, 408, 468-469, 1212-1213, 2013-2014
Subcommittee appointments—27
Subcommittee assignments—217, 335, 391, 531, 615, 616, 617, 618, 703, 705, 706, 708, 709, 812, 897, 898, 1046, 1047, 1160, 1161, 1162, 1686

ZIMMERMAN, JO ANN—Representative **Dallas** County
Amendments filed—411, 716, 823, 850, 934, 1050, 1092, 1127, 1420, 1421, 1767, 1768, 1779, 2029, 2039-2041, 2047, 2048
Amendments offered—417, 1133, 1142, 1333, 1494, 1588, 2029, 2111
Amendments withdrawn—1449
Bills introduced—147, 221, 231, 458, 459, 646-647, 684, 687, 893
Committee appointments—23, 24, 130, 656, 2249
Leave of absence—439, 887, 1873
Resolutions offered—216-217, 448-449, 526, 1688-1689, 1973-1974, 2013-2014, 2014, 2014-2015, 2131
Subcommittee appointments—27
Subcommittee assignments—217, 249, 250, 251, 252, 392, 705, 708, 812, 813, 814, 815, 1046, 1047, 1161